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ABSTRACT

Fourth in a series, this report provides a descriptive and analytical review of legislation affecting community and junior colleges which has been introduced or enacted during 1978. It includes factual information on the bills as reported by the states as well as an interpretative evaluation and synthesis of major developments. Legislation is reviewed according to seven major interest areas: finance, administration, physical facilities, institutional growth, personnel, students, and academic programs. According to the report, the two areas of finance and administration have received the most attention in 1978. A total of 205 bills dealing with financial matters were reported in 1978 compared to 184 such bills in 1977. The legislation report in 1978 seems to indicate a slowdown in the trend toward state control; there were only half as many state level coordination proposals in 1978 as in 1977. Also reported are the results of a related survey designed to determine the opinions of State Directors of Community and Junior Colleges concerning the appropriate federal role in their institutions. Appendices present abstracts of all reported legislation organized by state, and also index the legislation abstracts according to each major category. The federal interest questionnaire and related documents are also appended. (DP)

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State Legislation Affecting Community and Junior Colleges, 1978

S. V. Martorana and Wayne D. Smutz

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JC 790 481

Prepared in cooperation with the National Council of State Directors of Community and Junior Colleges

Center for the Study of Higher Education
Report No. 33

The Pennsylvania State University
University Park, Pennsylvania

July 1979

FORWORD

This report is the fourth in a series generated through the cooperative efforts of the Center for the Study of Higher Education and the National Council of State Directors of Community and Junior Colleges. It focuses on the general public policy framework within which postsecondary educational institutions in general and community colleges in particular must function. Through a descriptive and analytical review of the relevant legislative activity occurring throughout the states, it is hoped that those interested in postsecondary educational affairs will gain a better grasp of the issues public policy makers believe to be most crucial. Certainly it is clear that postsecondary educational institutions must be aware of, understand, and take into consideration the activities of state officials and bodies. This document is intended to facilitate that awareness, understanding, and consideration.

The report presents information on state legislative actions affecting community and junior colleges. Not only does it include the factual information reported by the states, but it also contains an interpretative evaluation and synthesis of the major developments occurring in state legislatures. Additionally, it reports the findings of a related survey designed to determine the opinions of State Directors of Community and Junior Colleges concerning the appropriate federal role and interest in their institutions. Organizationally, the report is structured so that those wishing to gain a broad understanding of legislative matters can do so through a reading of the text while those interested in specific legislative actions can consult the abstracts of the relevant bills and laws. In this regard, any inquiries concerning specific legislative items should be addressed to the appropriate state director. Any comments or observations about the work in general, however, should be forwarded to the senior author, Dr. S. V. Martorana, Research Associate in the Center.

Kenneth P. Mortimer
Professor and Director
The Pennsylvania State University
Center for the Study of Higher Education

PREFACE

The coauthors of this study wish to thank the numerous persons and agencies who helped in its production. This wide base of support and assistance must be noted and our appreciation recorded. First, among those to be recognized are the members of the National Council of State Directors of Community and Junior Colleges. Through their efforts and those of their staffs, we were provided with the legislative information that serves as a foundation for this report. We are deeply indebted to them for their cooperation.

Action by the National Council of State Directors for Community and Junior Colleges in 1974 led to the revitalization of this periodic review and analysis of state legislative activity affecting postsecondary education. The Council's interest and financial support of this continuing project has resulted in the completion of three previous annual studies of state legislation and now a fourth one. Without the Council's interest and support, this report, as well as the previous ones, could not have been completed. Both authors hope that this study justifies the Council's past support and encourages it to cooperate in similar, future reports.

The authors appreciate also the continued support provided by the Center for the Study of Higher Education, The Pennsylvania State University. Especially noteworthy are the conscientious and diligent efforts of three of the Center's secretaries: Marilyn Downing, Pat Duich, and Betty Meek. Their assistance was essential in the production of this report.

S. V. Martorana
Wayne D. Smutz
May 1979

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I

INTRODUCTION

This is the fourth annual survey and analysis of state legislation affecting community and junior colleges. The National Council of State Directors of Community and Junior Colleges and the Center for the Study of Higher Education, The Pennsylvania State University, again cooperatively supported and participated in the project. The U.S. Office of Education published studies of state legislation affecting postsecondary education in general from 1957 to 1965. This review was discontinued in 1965, however, and a ten-year hiatus followed in which there was no comprehensive review of legislation. Then, in 1975, the National Council decided to support the reinstitution of an annual review of legislation with a specific focus on community and junior colleges. The Center for the Study of Higher Education at Penn State agreed to participate in this endeavor. Studies of state legislative activity relative to community and junior colleges subsequently were completed and published for the periods 1973-75, 1976, and 1977. Articles summarizing and/or focusing on specific aspects of these studies have appeared in such publications as *Community and Junior College Journal, Community College Review,* and *Community College Frontiers.*

The 1978 study essentially involved a four-stage process. Initially, community and junior college state directors in all fifty states and Puerto Rico were sent letters of inquiry on June 5, 1978, requesting them to provide copies of bills or analyses of legislation acted upon in 1978. At the same time, state directors were asked to complete a brief questionnaire designed to obtain their thoughts on the appropriate federal role and interest in community and junior college activities. The second stage involved sending follow-up letters to both of these requests in mid-August. Then, during November and December, a telephone survey of those states that did not previously respond to the requests was conducted to ensure as complete a report from the field as possible. Finally, state directors attending the National Council's annual meeting in early December received copies of a draft report and were asked to review it to ensure the accuracy of the comments related to their states.

This report summarizes the state legislative activity occurring throughout the country as reported for 1978. The information provided in Table 1 indicates the scope of legislative activity covered. Of the fifty-one directors contacted, forty-six responded by sending information related to state legislation and thirty-six completed the "federal role and interest" questionnaire.

Procedure and Methodology

The methods used in this study and report need to be briefly outlined before providing an extensive review of the 1978 legislation. A considerable quantity and variety of legislation is received from the reporting states each

TABLE I

STATES RESPONDING TO 1978 STATE LEGISLATION STUDY INQUIRIES

ID#	STATE	1978 STATE LEGISLATION	FEDERAL INTEREST QUESTIONNAIRE
1	Alabama	X	X
2	Alaska		
3	Arizona	X	X
4	Arkansas	X	X
5	California	X	X
6	Colorado	X	X
7	Connecticut	X	X
8	Delaware	X	X
9	Florida	X	X
10	Georgia	X	X
11	Hawaii		
12	Idaho	X	X
13	Illinois	X	X
14	Indiana	X	
15	Iowa	X	X
16	Kansas	X	
17	Kentucky	X	X
18	Louisiana	X	X
19	Maine		
20	Maryland	X	X
21	Massachusetts	X	
22	Michigan	X	X
23	Minnesota	X	
24	Mississippi	X	X
25	Missouri	X	X
26	Montana	X	
27	Nebraska	X	
28	Nevada	X	
29	New Hampshire	X	
30	New Jersey	X	X
31	New Mexico	X	X
32	New York	X	
33	North Carolina	X	
34	North Dakota	X	X
35	Ohio	X	X
36	Oklahoma	X	X
37	Oregon	X	X
38	Pennsylvania	X	X
39	Rhode Island	X	
40	South Carolina	X	X
41	South Dakota	X	X
42	Tennessee	X	X
43	Texas	X	
44	Utah	X	X
45	Vermont	X	X
46	Virginia	X	X
47	Washington	X	X
48	West Virginia		
49	Wisconsin	X	X
50	Wyoming	X	
51	Puerto Rico		X
Totals		46	36

year. To understand the material better, each piece of legislation is classified according to an established categorical scheme.

The first step in this process is the separation of the reported legislation into that which was enacted and that which was not. Table 2 includes only enacted legislation while Table 3 is a compilation of proposed legislation. Legislation that was introduced but not enacted is included in the report because enacted legislation alone does not necessarily indicate the full range of issues addressed by state legislatures. Some matters are debated for several years before they become law. To neglect such issues would misrepresent state legislatures' concerns.

As in the past, however, this report does not cover all the legislation that was introduced but not passed. The criterion used to determine inclusion in this review is that the original legislative committee assigned the bill must have passed it. Thus, bills rejected by a full chamber or a committee of the nonoriginating house as well as bills vetoed by a governor are reported. Those bills that died in committee or failed when put to a committee vote are not reported. This ensures that those proposed bills receiving at least a minimum level of serious attention are properly noted.

Once the reported legislation is divided according to the type of action taken on it, each proposal is studied to determine which of the seven major areas and twenty-five subject categories it affects. The tabulation presented in Tables 2 and 3 show graphically the results of these procedures on a state-by-state basis while Tables 4 and 5 portray the data in a national format. This is the same procedure used for each of the last three studies.

It is important to note that the area and subject categories are intended to be mutually exclusive. Persons familiar with legislative bills, however, are well aware that any one proposal may address several different topics. Tables 2 and 3 therefore identify the number of topics covered by the reported bills. The actual number of pieces of legislation reported for 1978 is less than these topic totals however. As a result, Tables 2 and 3 have two total columns to note the difference between the topics covered and the number of bills reported. To illustrate this procedure, 527 bills (365 enacted and 162 proposed) covering 647 topics (450 enacted and 197 proposed) were reported in 1978.

The final step in this process involves the classification of all bills, except those related to appropriations and capital funds, according to the type of institutions affected: community and junior colleges only; all postsecondary institutions, including community and junior colleges; postsecondary institutions, excluding community and junior colleges; and state agencies in general. Bills affecting all four categories are reviewed for several reasons. Those bills that affect only community and junior colleges are analyzed because they are the primary focus of this study. In many states, however, community and junior colleges are part of systems that include a variety of postsecondary institutions. Thus, in those states bills directed at postsecondary education in general also

Table 2 (Number of Legislative Items Enacted in 1978) and Table 3 (Number of Legislative Items Proposed but Not Enacted in 1978) were removed from the document prior to the document's submission to the ERIC Document Reproduction Service.

TABLE 4

REVIEW OF LEGISLATION BY SEVEN MAJOR AREAS

Major Areas	Legislation Enacted	Legislation Proposed	Total
Finance	154	51	205
Administration	93	43	136
Physical Facilities	19	10	29
Institutional Growth	8	2	10
Personnel	76	36	112
Students	58	31	89
Academic Programs	42	24	66

affect community and junior colleges. Bills concerned with postsecondary institutions other than community and junior colleges are also sometimes reviewed because they provide an indication of legislative issues that may affect community and junior colleges in the future. Finally, bills that affect state agencies in general are analyzed, because in many states community and junior colleges are considered to be state agencies and are therefore affected by legislation that applies to all state entities. It should be noted that this last category was added just this year in an effort to clarify the type of legislation that is affecting community and junior colleges. The intent is to illustrate that the impact of legislation on community colleges is a product of their place within the larger postsecondary environment and, in fact, within state government in general. A more detailed examination of this issue will be provided in the main text.

Limitations

It is extremely tempting to provide broad generalizations and extensive interpretive comment about nationwide state legislative activity. The authors handle the temptation in the way this report is organized. In the first sections, only descriptive reporting is provided and little interpretation attempted. In the concluding section, however, attention is focused on questions related to the meaning and importance of the main observations made earlier concerning the

TABLE 5

REVIEW OF LEGISLATION BY TWENTY-FIVE SUBJECT CATEGORIES

Subject Categories	Legislation Enacted	Legislation Proposed	Total
Appropriations	55	12	67
Capital Funds	29	8	37
Financial Procedures	70	31	101
Governing Bodies	28	14	42
Process of Policy Formation	12	11	23
Administrative Operations	26	8	34
Coordination	7	6	13
Studies and Surveys	19	4	23
Enabling Legislation	1	0	1
Building Codes	2	1	3
Construction Procedures	6	4	10
Facility Regulations	11	5	16
New Institutions	1	2	3
Institutional Expansion	2	0	2
Name Changes	2	0	2
Restrictions on Growth	3	0	3
Employee Benefits	45	12	57
Employee Rights	26	13	39
Collective Bargaining	5	11	16
Faculty Workload	0	0	0
Student Rights and Responsibilities	12	10	22
Tuition and Fees	23	9	32
Student Aid	23	12	35
Curriculum	21	17	38
Accreditation and Certification	21	7	28
TOTALS	450	197	647

magnitude of interest in various topics, as well as in the trends in legislative activity. The concluding observations are thought to be sound and generally supportable because the substantial response rate and the cooperative effort in producing this report assures virtually complete identification of action relevant to the field.

At the same time, the reader must remember that the data reviewed in this report have certain limitations. First, five of the fifty-one state directors did not supply us with information. This is not a high non-response rate in a survey study of this kind, but the possible gap in information should not be overlooked. Why some states did not respond to our repeated requests for information is difficult to establish. In any case, the absence of information from some states means that the review is limited to the reporting states, even though it is quite possible that similar actions were taken in the non-reporting ones.

A second limitation is the possibility that not all legislative activity occurring even in the reporting states was transmitted. Some states have a number of specialized staff who deal with community and junior college matters and can monitor all legislative developments, including those that only remotely affect their institutions; others do not, and find the identification of all relevant legislation more difficult. Certainly the fine cooperation of the state directors and their staffs is to be emphasized, but the limitations stated must be noted.

Overview of the Results

Before reviewing each of the major legislative areas in depth, a general overview of the reported legislation is warranted. State legislatures were slightly less active in 1978 compared to 1977, although the level of activity far exceeded that of the 1973-75 and 1976 periods. The forty-six responding states reported 527 bills this year (365 enacted and 162 proposed) compared to 578 in 1977 (318 enacted and 260 proposed). The substantial amount of legislation reported in 1978 was somewhat surprising since even-numbered years traditionally are less active ones for legislatures than are odd-numbered ones. For example, five states did not hold legislative sessions in 1978 and a number of other states only held special sessions to deal with very specific issues. Thus, the high level of activity seems to indicate that state legislatures are continuing to focus considerable attention on legislative matters that affect postsecondary education in general, and community and junior colleges in particular.

Two highly topical areas receiving the most state legislative attention in 1978 were Finance and Administration. This is not unusual since these two areas have been the major focus of attention by state legislatures since this annual review began in 1975. However, in a change from previous patterns, more legislative proposals addressed financial matters than administrative ones this year. In fact, 205 bills dealing with financial matters were reported in 1978 compared to 184 in 1977, an important difference given that the total number of bills was lower this year. This heightened interest in financial matters is probably attributable to a number of factors, including the general concern with the

financial condition of the country and the individual states. Another contributing factor, however, may have been the "taxpayer revolt" initiated by the passage of Proposition 13 in California; a number of states held special legislative sessions to deal with tax relief measures after that development in June.

Although financial matters received much attention, other developments are also noteworthy. The trend toward increased state-level control and coordination identified during the last few years abated to some degree if legislative action accurately reflects the concerns of the various states. Institutional growth is at a virtual standstill, a trend apparent for some time. And finally, legislatures continue to address personnel and student matters mainly in the areas of employee benefits and student rights.

The following pages provide supporting evidence for the statements presented in the above overview. A detailed review will be provided of the legislation in each of the seven major area categories: Finance, Administration, Physical Facilities, Institutional Growth, Personnel, Students, and Academic Programs.

II

TOPICAL ANALYSES OF STATE LEGISLATION

This section reviews the legislation in each of the seven major areas of analysis established for this report: finance, administration, physical facilities, institutional growth, personnel, students, and academic programs. Abstracts of the actual bills and laws reported appear in Appendix A. Readers interested in obtaining more detailed information or in seeing the entire legislative language of an act or proposal are encouraged to contact the authors or the state director of community and junior colleges in the appropriate state.

An explanatory comment regarding the format used to identify specific legislative items (abstracts) in the text of the report may be useful here. Whenever a legislative measure is discussed, an identification number accompanies it (e.g. 5-12). This number identifies the state and bill numbers used to organize the legislative abstracts in Appendix A; the first number identifies the state and the second number identifies the bill. To review the abstract of a bill identified in the text, use the identification number noted to find the legislative abstract in Appendix A.

An index to the legislative abstracts is provided in Appendix B. In this index, all legislative items falling within each of the twenty-five subject categories is identified. Therefore, to review all of the legislation related to a specific subject category, simply consult Appendix B.

AREA 1: FINANCE

Thirty-eight states reported a total of 205 bills (154 enacted and 51 proposed) that affect the financing of postsecondary education in general and community and junior colleges in particular. Importantly, this total means that more bills were reported in the Finance area than in any of the other six major areas, and that more financial bills were reported in 1978 than in 1977 (215 compared to 184). It is true that legislatures traditionally focus much attention on financial matters but their concern with these issues seems to be even more pronounced in 1978. This is illustrated by the fact that legislative proposals addressing administrative matters have tended to outnumber financial ones in all the previous annual reviews while the reverse was true in 1978. Certainly there may be a number of factors responsible for this increased attention to financial issues, including the particular circumstances of individual states. However, there seems to be little doubt that the general nationwide concerns with government spending and taxes are significant contributing factors.

The 205 financial bills reported are distributed among three subject categories: appropriations for operations, capital funds, and financial procedures. A summary of the bills reported in each category follows.

Appropriation for Operations

The legislation in this category can be classified into three separate groups: bills strictly related to general operating expenses, bills designed to appropriate funds for special projects, and bills providing for changes in funding formulas. Much of the legislation in this category, however, deals with the first of these groups, general state appropriations for community and junior colleges. Thirty-seven states provided specific appropriation amounts for 1978-79. Table 6 lists all those states reporting 1978-79 appropriation figures and provides a comparison with the appropriation figures reported for 1976-77 and 1977-78.

Table 6 indicates that state legislatures continued to provide increased appropriations in absolute dollars to community and junior colleges for 1978-79. There is a wide variation in the percentage increase among the states that should be noted however. Delaware and Wyoming reported increases of over thirty percent. Alabama and North Carolina reported increases of between twenty and thirty percent. Sixteen states – Arkansas, Connecticut, Indiana, Iowa, Michigan, Mississippi, Nevada, New Mexico, New York, Ohio, Oklahoma, Oregon, South Carolina, Tennessee, Utah, and Wisconsin – reported increases of ten to twenty percent. Twelve states – Colorado, Florida, Idaho, Illinois, Maryland, Massachusetts, Minnesota, Missouri, New Jersey, Pennsylvania, Rhode Island, and Texas – reported increases from zero to ten percent. Finally, unlike in 1977-78, one state, Arizona, reported a decrease in appropriations from the previous year.

The state appropriation figures indicate that on the average there was a very limited reduction in the percentage rate of growth in state appropriations for community and junior colleges for 1978-79 compared to 1977-78. Table 6 shows that the average appropriation increase for the reporting states was 13.0 percent in 1976-77, 14.3 percent in 1977-78, and 12.2 percent in 1978-79. Perhaps the most important point about the data reported in Table 6 is that the percentage growth rates have changed relatively little over the last three years. This would seem to indicate that state funding of community colleges has entered a period of stability. It is noteworthy, however, that of the twenty-six states where a comparison of the percentage increase could be made for 1977-78 and 1978-79, only nine states showed a greater increase for 1978-79 than for 1977-78, while seventeen states reported a smaller rate of growth.

As noted previously, general appropriation bills were not the only ones reported in this subject category. Other bills related to appropriations are those that deal with funding formulas. Nine states reported such bills. Several of these were major enactments or proposals. Illinois (13-9) and Kansas (16-5) reported the enactment of measures increasing the basic rates for credit-hour funding while the Pennsylvania legislature defeated a proposal (38-3) to increase the state reimbursement base for community colleges from a maximum of $1500 to $1800. The Michigan legislature attempted to alter that state's basic funding mechanism for community colleges by initially passing an appropriation bill (22-1) that included categorical grants for such services as remedial education, student

TABLE 6

GENERAL APPROPRIATIONS FOR COMMUNITY AND JUNIOR COLLEGES 1976-77, 1977-78, 1978-79

	1976-1977		1977-1978		1978-1979	
State	Appropriation	Percent Change	Appropriation	Percent Change	Appropriation	Percent Change
Alabama	$ 29,000,000	2.0	$ 33,050,000	14.0	$ 40,000,859	21.0
Alaska	12,848,200	-	13,896,200	8.2		
Arizona	34,513,471	15.9	39,538,000	14.6	38,352,500	-3.0
Arkansas	9,913,862	20.1	10,650,837	7.4	11,923,939	12.0
California						
Colorado			52,000,000	-	55,500,000	6.7
Connecticut	21,760,000	6.5	24,364,000*	12.0	27,163,819*	11.5
Delaware	9,505,125	-	10,597,522	15.3	14,736,500	39.1
Florida	161,582,230	8.4	179,314,348	11.0	192,078,563	7.1
Georgia						
Hawaii	18,654,648	-	21,418,127	14.8		
Idaho	2,788,100	12.5	3,176,400	13.9	3,464,800	9.1
Illinois	128,805,644	13.6	133,664,011	3.8	141,393,111	5.8
Indiana			4,749,206	-	5,342,770	12.5
Iowa	29,800,000		32,714,100	9.8	37,300,000	14.0
Kansas					16,200,000	-
Kentucky						
Louisiana						
Maine						
Maryland	38,157,454	2.2	46,162,488	21.0	47,765,233	3.5
Massachusetts	43,536,400	9.1	45,378,117	4.2	48,865,460	7.7
Michigan			110,175,533	-	122,000,000	10.7
Minnesota			29,358,615	-	30,962,847	5.5
Mississippi	20,380,769	.7	24,700,000	21.2	29,000,000	17.4
Missouri	23,947,760	29.0	27,600,000	15.3	28,366,378	2.8
Montana						
Nebraska					15,056,000	-
Nevada	6,337,248	19.2	6,772,774	6.9	7,469,822	10.3
New Hampshire						
New Jersey	31,877,400	6.3	47,950,000	41.5	47,950,000	-
New Mexico	5,076,300	11.2	6,208,800	22.3	7,043,400	13.4
New York	89,432,744	5.7	94,456,000	5.6	104,984,000	11.1
North Carolina			108,155,816	-	139,335,006	28.8
North Dakota			3,636,241	-		
Ohio			35,188,280	-	39,257,327	11.6
Oklahoma	23,086,584	-	27,772,803	20.3	32,797,195	18.1
Oregon	34,684,425	15.9	41,220,570	18.8	46,503,940	12.8
Pennsylvania	44,892,000	-	46,651,000	3.9	47,988,000	2.9
Rhode Island	12,470,576	34.3	13,459,758	7.9	14,189,983	5.4
South Carolina	28,102,830	-.8	34,100,148	21.4	39,384,221	15.4
South Dakota						
Tennessee	21,879,000	22.6	24,181,000	10.5	27,577,400	14.0
Texas	97,591,450	18.9	117,016,816	19.9	126,976,044	8.5
Utah	13,145,400	-	15,761,000	19.9	18,130,100	15.0
Vermont					528,500	-
Virginia					86,776,910	-
Washington	106,508,940	-	137,332,934	-		
West Virginia						
Wisconsin	38,515,200	11.6	44,676,000	16.0	51,219,683	14.6
Wyoming	17,360,000	-			28,000,000	38.0
Puerto Rico						
Average Increase		**13.0**		**14.3**		**12.2**

*Community Colleges Only.

counseling, and equipment. Michigan's Governor vetoed the bill noting that the inclusion of categorical grants had the potential to undermine local institutional autonomy.

Perhaps one of the most important funding formula developments of 1978 occurred in California where the legislature was forced to respond to the voter's approval of Proposition 13. The result was the passage of a measure (5-60) which provides for the allocation of state surplus funds to state and local agencies. Under the provisions of this measure, community colleges will be supported at an 85 percent funding level for 1978-79. However, in an effort to cut costs, the measure also limits the types of noncredit courses which can receive state apportionments in 1978-79.

Several related developments also deserve comment. The Colorado legislature passed HB1022 (6-4) which permits the General Assembly to increase the state grant per FTE to the four local community colleges by seven percent annually. Enacted measures in California and South Carolina respectively, provide for independent study courses to be counted in average daily attendance (5-64), and prevent senior citizens' attending on tuition waivers from being counted in enrollment figures for funding purposes (40-2). A relevant proposal not enacted was reported by Connecticut. It would have provided state funds for community college summer sessions which are now self-supporting (7-13).

Three states considered and enacted legislation relative to the funding of small colleges or college districts with limited populations bases. A measure passed in Maryland (20-8) increases from 100,000 to 150,000 the population base necessary for a district to be eligible for higher levels of state support. The Nebraska legislature enacted a law (27-8) which allows technical community college districts to increase their FTEs by twenty percent if they have a population density of less than seven persons per square mile. Finally, the Virginia legislature requested the State Council of Higher Education to consider the size of the institution when establishing guidelines for faculty/student ratios (46-4).

Several states reported appropriation bills that would provide funds for special programs and projects. Five examples can be provided. The Nebraska governor vetoed a proposal (27-20) which would have appropriated funds to establish a uniform postsecondary education information system. An Arizona bill (3-14) would have provided $100,000 to establish noncredit courses for senior citizens if passed. The Minnesota legislature appropriated $65,000 for a statewide career guidance program (23-2). Two states reported the enactment of measures that provide funds for community college medical programs. In Mississippi, $1,679,920 was provided for associate degree nursing support which will result in one new program and 14.5 new positions (2-7). And in California, the legislature appropriated $2,935,500 to support physician assistants programs over the next four years (5-69).

Capital Funds

Thirty-seven bills relating to capital funds for community colleges were reported by eighteen states. Although it is not certain that capital funding is decreasing, one respondent's comment that the golden age of brick and mortar is over appears to be an accurate assessment. Supporting this idea is a measure passed by the Nebraska legislature which places a moratorium on capital construction projects for community colleges except for renovation projects (27-12). Additionally, Delaware (8-2) and New Jersey (30-2) reported that capital funds were appropriated but none were to be used for new construction.

This does not mean that legislatures are not appropriating any capital funds however. The New Jersey capital fund appropriation noted above was the first in three years. In addition, a substantial number of other states reported capital fund appropriations. The Delaware Technical Community College received $332,000 (8-2); Florida community colleges received $21,372,915 (9-35); $12,040,000 was provided in Connecticut for construction projects at three community colleges (7-10); Alabama's community colleges received $21,624,880 (1-2); $5,900,000 was appropriated in Tennessee (42-8); Minnesota community colleges received $9,400,000 (23-5); and the Illinois appropriation for capital projects for community colleges was $44,040,094 (13-11).

Several other capital funding bills are noteworthy. For example, the New Mexico legislature authorized the sale of $4 million in revenue bonds to be used for a new community college (31-2). In Arizona, $500,000 was appropriated for a new community college campus in South Phoenix (3-20) and the capital fund formula for community college districts with less than 5000 FTEs was increased from $135 to $175 per FTE (3-6). Illinois reported the passage of a measure that permits the state to reimburse community colleges for all locally funded projects begun since 1972 (13-3). Finally, a supplemental capital appropriation in Ohio provides $50,000 for each two-year campus to purchase technical equipment (35-10).

Financial Procedures

More legislative proposals were reported in the financial procedures category than in any of the other twenty-four subject categories in each of the previous state legislative studies. Not only did this pattern continue this year, but the number of financial procedures bills was greater than in any previous year. A total of 101 bills affecting financial procedures (70 enacted and 31 proposed) were reported in 1978 compared to eighty-eight in 1977 and forty-four in 1976. Legislative action affecting community college financial procedures takes many forms. For example, some bills change budgetary procedures, others change the pattern of influence over financial decisions, and still others alter the costs institutions must bear. To allow better conceptualization of the types of legislative activity occurring in this area, a special classification scheme was applied to the bills in question. Each was placed in one of seven subcategories according to its type of impact. This is the same procedure utilized in 1977. The seven categories are noted below:

1. Legislation resulting in greater institutional flexibility;

2. Legislation resulting in greater state control over the expenditure of funds;

3. Legislation resulting in less institutional flexibility but not more state control;

4. Legislation resulting in a greater amount of available funds;

5. Legislation resulting in a decrease in available funds;

6. Legislation affecting auditing and/or accounting methods;

7. Legislation that leads to procedural changes only in the budgetary process;

Table 7 indicates the number of bills falling into each of these subcategories during each of the last three years.

TABLE 7

FINANCIAL LEGISLATION RELATED TO COMMUNITY AND JUNIOR COLLEGES: TYPE OF IMPACT

	Legislation Enacted			Legislation Proposed			Total		
	1976	1977	1978	1976	1977	1978	1976	1977	1978
More Flexibility	13	9	18	4	3	2	17	12	20
More State Control	4	12	7	2	6	3	6	18	10
Less Flexibility	-	5	9	-	1	5	-	6	14
More Funds	7	7	8	1	5	5	8	12	13
Less Funds	2	8	7	2	1	7	4	9	14
Accounting/ Auditing	7	3	2	2	2	2	9	5	4
Procedural	-	17	18	0	9	6	-	26	24
TOTALS	33	61	69	11	27	30	44	88	99

Note: Two 1976 pieces of legislation, ten 1977 pieces, and two 1978 pieces were not classified due to limited information on these bills.

Several observations need to be made about Table 7 and the financial procedures bills reported in 1978, before the types of bills appearing in each of the seven categories are detailed. First, the number of bills intended to provide **more** institutional financial flexibility increased in 1978. Second, fewer bills that were designed to **reduce** institutional flexibility through greater state-level control were reported this year than last. This represents a change from 1977 when the number of bills intended to reduce institutional flexibility dramatically increased over 1976. Third, the number of bills that provide for less institutional flexibility but not more state control increased somewhat over the previous year. Fourth, the number of bills that potentially would result in a reduction of funds for community colleges increased this year. This appears to be an important development because it is due mainly to the presence of several tax reduction and spending limitation bills. Fifth, proposals that would simply alter routine financial matters were the most often reported type of financial procedures bill.

Are there any general conclusions that can be made about state legislative activity with regard to the financial procedures of community colleges from the observations noted above? The answer to that question must be that no single pattern emerged in 1978. While there was somewhat less attention given to establishing more state control in 1978, there was also attention on reducing institutional financial flexibility; and while more funds were provided through some legislative action, other action focused on providing less funds. The only definite statement that can be made is that there was a greater interest in financial procedures measures in 1978 compared to previous years. Beyond this, all that can be said is that legislatures appear to be dealing with financial procedures matters on a case-by-case basis. A one-directional trend simply is not apparent.

Each of the seven categories of financial procedures bills noted above will be addressed in more detail below.

More Flexibility

Twenty of the reported financial procedures bills were designed to provide institutions with increased financial flexibility. Several examples are illustrative of this type of legislative action. A measure passed by the Kansas legislature permits a community college board to impose a local adult basic education tax levy for a period of up to five years subject to a five percent protest petition election (16-2). Previously, voter approval was needed each year for such a levy. A law enacted in New Mexico permits the use of part of the local levy to reduce or eliminate tuition for nontransferable vocational courses at the Albuquerque Technical-Vocational Institute which is being converted into a comprehensive community college (31-3). The California legislature passed SB1991 permitting community colleges to repay funds transferred between accounts any time during the fiscal year instead of within 120 days (5-82). Finally, an enacted Arizona measure permits the State Community College Board to enter into long term leases; they are not, however, to exceed ten years and $1,000,000 (3-6).

More State Control

Ten bills which would increase state-level control over financial matters were reported. Three states reported bills designed to require state level review and/or approval of institutional budgets. In Tennessee the general state appropriations bill which passed requires all postsecondary institutions to submit their budgets to the Commission on Higher Education for review (42-2). The South Carolina legislature passed S251 which requires the State Board of Technical and Comprehensive Education to submit a line item budget to the Higher Education Commission which will recommend a unitary budget for all of postsecondary education (40-4). A "super" board proposal in Colorado would have given the new board the power to review all postsecondary appropriation requests but was defeated (6-7). Another interesting example of an increased state-level control bill was provided by Kentucky. It creates a legislative commission to review and approve all state bodies' personal service contracts (17-2). Finally, a section in the approved Florida general appropriation bill requires community colleges to receive approval from the Commissioner before purchasing or leasing electronic data processing equipment in excess of $6000 (9-35).

Less Flexibility

Fourteen bills were reported that would provide for less institutional financial flexibility. Two examples of such bills came from California: the passage of AB3642 requires a four-fifths instead of a two-thirds vote by a governing board in order to expend capital funds for other purposes (5-48), and the enactment of SB2088 requires that community college health fees be deposited in a special health fund instead of the general fund (5-86). Other interesting bills falling into this category were reported by Nebraska and Kentucky. The Nebraska measure prohibits the use of appropriated funds for admission recruiters (27-14), while the Kentucky bill would have required state agencies to give first priority to Kentucky- and American-made items in their purchasing procedures (17-10).

More Funds

Thirteen reported bills were designed to provide community colleges with more funds. Four examples are illustrative. A measure passed by the Kansas legislature permits community colleges to increase their budget by six percent for FY1979 instead of the normal limit of five percent (16-6). California enacted a law which allows independent study courses to be counted in the average daily attendance calculations (5-64). In Pennsylvania, SB1177 would have required that all federal funds be credited entirely to the local sponsor (38-5). Finally, HB1468 enacted in Illinois permits local political subdivisions to levy a special tax to pay for liability insurance (13-1).

Less Funds

Fourteen of the reported financial procedures bills would potentially result in less funds for community colleges. Significantly, most of the bills reported in this category reflected concern with the taxpayer revolt initiated by the passage of Proposition 13 in California. For example, five states reported developments intended to reduce or limit taxes. Those states were Nebraska, Missouri, Illinois, Texas, and Washington. In Nebraska, LB2 would permit voters to place a limit on a local agency's budget funded by *ad valorem* taxes (27-2). Two measures were introduced in Missouri although both failed. One would have reduced property tax rates in any county experiencing a ten percent rise in overall valuation (25-13), while the other would have reduced personal property taxes for senior citizens (25-11). In Illinois, a proposed measure would have prohibited the legislature from imposing taxes in excess of seven percent of the personal income for the last known fiscal year (13-27). The Texas legislature, in a special session called by the Governor, passed a proposed constitutional amendment which will restructure the local tax system and reduce or eliminate certain other state taxes since it was approved by the electorate in the November election (43-1). Although no legislation was enacted in Washington, an initiative passed by the voters that became effective July 1, 1978, removed the sales tax on food, a move which will have an effect on potential state revenues.

In related developments, four states reported state and/or local spending limitation proposals. The Nebraska legislature considered three proposals that would place budgetary limits on state and/or local governments, but only one of them passed (27-1). California reported a proposal to limit state government spending by the percentage change in California personal income although it failed (5-116). The Arizona legislature passed a proposed constitutional amendment that will limit state spending to a percentage of the state's total personal income. Finally, in Oregon, the legislature passed a measure that appeared on the November ballot that would limit state spending as well as provide tax relief for homeowners by using state income tax receipts to pay fifty percent of property owners' tax bills up to $1500 (37-4). This proposal was defeated by the voters in the November election however.

Two other bills which will provide less funds for community colleges were reported by California and Nebraska. The California law limits the types of noncredit courses that can receive state funds for 1978-79 (5-60). LB756, passed by the Nebraska legislature, requires that non-degree and recreational courses be self-supporting (27-7).

Auditing

Four bills that relate to community college audits were reported. Two examples are illustrative. The Maryland legislature passed a measure that requires the state Board for Community Colleges to adopt guidelines for the preparation

of annual audit reports by community colleges and provides means for enforcing compliance with the audits including the withholding of state funds (20-2). In California, SB1511 passed by the legislature requires each community college board to review the annual audit at a regularly scheduled public meeting (5-74).

Procedural

The last financial procedures category includes bills that make only relatively minor changes in the financial procedures of community colleges. Twenty-four bills were reported here, the largest number reported in any one category. Four examples can be provided. In Connecticut, SB6002 would have established procedures for state agencies to accept monetary or material gifts (7-15). HB661 enacted in Kentucky prohibits a member of a board of trustees from having an interest in any contract awarded without competitive bidding 17-6). A measure enacted in Florida requires a written agreement for the purchase of any professional or technical services by a state agency (9-2). And finally, a measure enacted in Georgia requires state employees to provide supporting documentation before they may be reimbursed for lodging and transportation expenses (10-21).

AREA 2: ADMINISTRATION

State legislation affecting the administration of community and junior colleges is second in quantity only to legislation affecting financial matters. Twenty-five different states reported 136 bills (93 enacted and 43 proposed) which had some impact on administration. As in previous studies, these bills were distributed among six subject categories: governing bodies, process of policy formation, administrative operations, coordination, studies and surveys, and enacting legislation.

Several general comments may be useful before discussing in detail each of the subject categories under the administration heading. The total number of bills reported in 1978 affecting the administration of community and junior colleges was substantially down from the number reported in 1977 (136 compared to 194). This represents almost a 30 percent decrease. Nearly all of the administrative subcategories were equally affected by this decreased interest. Three subcategories showed rather drastic declines. First, only about half as many bills that dealt with routine administrative procedures were reported this year as last. Second, state legislatures appeared to be substantially less concerned with coordination matters in 1978 as indicated by the decrease in the number of such bills from twenty-six in 1977 to thirteen in 1978. Third, only one bill was reported in 1978 that dealt with enabling legislation, compared to thirteen such bills in 1977. It is not completely clear why administrative matters received less attention in 1978, but it is possible that the considerable attention given to financial issues was one cause. Whether state legislatures continue to lessen their interest in administrative matters is something future legislative studies will have to monitor.

Governing Bodies

Legislation affecting local and state-level governing bodies is reported in this section. Significantly, the bills reported here are concerned with board composition, procedures and execution, and not with authority. Bills affecting the authority of governing boards are discussed under the subject category "process of policy formation." Forty-two bills (28 enacted and 14 proposed) that can be classified in this subject category were reported.

State legislatures in several states acted on bills that would alter the composition of various boards. One measure enacted in California reduces the membership of the Postsecondary Commission from twenty-three to fifteen by decreasing the number of public representatives from twelve to nine and by reducing to one the number of representatives from each segment of postsecondary education (5-39). The passage of SB53 in Utah created institutional councils for the two technical colleges and requires that business, industry, labor, and agriculture be represented on the boards (44-1). In Wisconsin, a measure which failed would have added an agricultural representative to certain district boards (49-14).

Particularly interesting are bills reported by several states that provide for institutional representation on boards. For example, two states reported proposals that would add faculty members to certain boards. In Kentucky, the passage of HB568 means that a faculty representative will sit on the Council on Public Higher Education (17-5). A similar bill was reported by Maryland and would have added a faculty representative to the Allegany County College board, but failed to receive approval (20-18).

Also relevant here are legislative proposals designed to add students to various boards. Eight states reported such proposals, a similar number to that reported in 1977. However, legislatures in only three states acted favorably on the bills. Legislation enacted in Minnesota adds students to the State Board of Community Colleges as well as to the local advisory committee for each community college (23-3). SB53 passed by the Utah legislature provides for student representation on the new institutional councils for the two technical colleges (44-1). And in Kentucky, HB568 provides for student representation on the Council on Public Higher Education (17-5). Legislative proposals to add students or to increase their responsibilities on boards in Illinois (13-15), Maryland (20-16), Pennsylvania (38-4), and Wisconsin (49-10) all failed.

Another topic receiving attention in this category concerns proposals that affect board member selection, eligibility, and action. Several examples are illustrative. A measure enacted in Colorado requires state senate confirmation of gubernatorial appointments to the State Board for Community Colleges and Occupational Education (6-3). A bill proposed in Wisconsin would have provided for the popular election of vocational board members had it passed (49-7). A new Iowa law permits the secretary of a school board to be an employee of the board

but not a teacher (15-5). Finally, AB2803 enacted in California prohibits a school or community college board member from deferring his resignation for more than thirty days after he has filed his resignation papers (5-35).

A final issue addressed by some legislation falling into this subcategory is the creation of new boards or the elimination of existing ones. For example, a California proposal would have created a State Board of Vocational Education if it had passed (5-98), and an Arizona proposal was intended to create a State Board on Higher Education Institution Authorization to deal with the "diploma mill" problem (3-18). Also noteworthy is the Florida "Sundown Act." Its passage provides for the periodic review of all state governmental boards, the elimination of unnecessary ones, and reauthorization procedures for those believed to be essential (9-17). A similar proposal was reported by Kentucky, but it was not passed by the legislature (17-9).

Process of Policy Formation

Legislation in this subject category includes bills that determine who decides what, and in what way, at local and state levels. In essence, the bills here deal with authority and power. Fourteen states reported a total of thirty-one bills in this subject category (16 enacted and 15 proposed).

In each of the previous annual studies of state legislation affecting community and junior colleges, the authors have noted an apparent tendency in the legislative proposals to try to increase state-level control over these institutions. Such proposals appeared once again this year. In three states — Colorado, Delaware, and Nebraska — bills were discussed that would provide for "super" boards and/or a state system of community colleges. Significantly, however, all three proposals failed. The Colorado proposal would have abolished all intermediate governing boards and would have created one board for all postsecondary education (6-7). The Delaware bill was similar, in that it proposed to create one board for the Delaware Technical Community College, Delaware State College, and the University of Delaware (7-4). In Nebraska, the passage of LB793 would have created a state system of community colleges under the authority of a state board of governors (27-13). One related proposal was also reported. As noted above, California bill AB2242 would have created a State Board of Vocational Education to oversee all phases of vocational education if it had passed (5-98).

State-Level authority can also be increased by giving existing state bodies even more authority. A few proposals of this nature were reported. For example, a measure enacted in South Carolina expands the powers of the State Commission on Higher Education. Under its provisions, the Commission will be responsible for recommending a unitary budget for all of public postsecondary education, for approving new programs, for overseeing institutional expansion, and for preparing a statewide role and mission master plan (40-4). Also illustrative is an Illinois proposal which failed but would have permitted the Board of Higher Education to establish admission standards (13-29). In a somewhat related development,

SB53 enacted in Utah does not increase state-level authority but does clarify state responsibility. Previously, the State Board of Education and the Board of Regents were jointly responsible for the state's two technical colleges. SB53 transfers full responsibility to the Board of Regents and thereby resolves an issue of considerable controversy between the two boards (44-1).

Additional state-level authority over postsecondary education also can be given to noneducational bodies. Several proposals reported in 1978 were designed to do just that. For example, three states reported enacted measures that increase the state legislature's authority. The Colorado legislature amended the Education Statutes in order to add community colleges to the list of higher educational institutions that are considered state agencies (6-1). In Oklahoma, the passage of SB346 requires all state agencies to submit existing and new rules for legislative review. A new Nebraska law prohibits the Postsecondary Coordinating Commission from submitting any state plan to a federal agency before it has been reviewed by the Executive Board of the Legislative Council (27-14). One other proposal that could have had some impact on state-level authority was reported by Kentucky. It would have created a state publications review commission to review and approve all state agency publications if it had passed (17-12).

Finally, it must be noted that two states reported measures designed to reduce state-level authority in general. Both of these were reported in the preceding Governing Bodies section, but it is important to identify them here also because they seem to indicate legislative concern with unnecessary state-level regulation. One of these measures is the "Sundown Act" enacted by the Florida legislature. It repeals statutory authority for certain boards and commissions, including the State Community College Council, and calls for a legislative review of each entity to determine if it should or should not continue to function. A similar proposal was considered but ultimately defeated by the Kentucky legislature. It would have removed authority for numerous regulatory agencies and provided for a periodic six-year review of those deemed vital to the welfare of the state.

Administrative Operations

The bills reported in this section are ones that deal with general managerial issues and in most cases do not have a major substantive impact on the decision-making process. Usually the concern is with only day-to-day administrative matters. At times, however, administrative procedures bills can be quite significant as will be clear from some of the bills identified below. Thirty-four bills were reported in this category in 1978 (26 enacted and 8 proposed).

Many of the "administrative operations" bills address routine matters. For example, a new Georgia law provides for the distribution of surplus properties (10-14), and SB860C enacted by the Florida legislature simplifies the state's administrative procedures act (9-32). Other administrative bills appear to have a more important impact. An illustration is SB1082 which was passed by the

California legislature and which requires a state agency to report to the legislature within six months after establishing a new program (5-65).

The 1977 state legislation study revealed that a number of states were taking steps to make state agency activities and documents more accessible to public inspection. Legislative action reported in 1978 indicates that this trend is continuing. Four states reported proposals affecting state agencies' meetings. A measure enacted in Arizona requires that all meetings of public bodies must be open to the public (3-3). SB151 passed by the Florida legislature provides penalties for violation of the "open meetings" act and prohibits public meetings in facilities where public access is restricted (9-29). Similarly, a Rhode Island enactment provides that courts may nullify any decision of a public body made while that body was in violation of the open meetings law (39-11). A new California law is also relevant. It requires a community college governing board to adopt procedures that allow members of the public to place items on the board's agenda.

In a similar vein, freedom of information acts were reported by four states. An enacted Arizona measure makes state law conform with the federal Family Educational Rights and Privacy Act (3-7). A new Florida law requires the State Board of Education to prescribe the content and custody of community college records maintained on employees and provides access regulations (9-22). In South Carolina, a new comprehensive "freedom of information" act was passed; among other things, it permits public inspection of public records and requires that written minutes be taken at all public meetings (40-1).

A final issue in this category which continued to receive attention in 1978 was public liability. Four states—California, Illinois, Nebraska, and Tennessee—reported measures that amend previous legislation relative to liability insurance. Perhaps the most interesting enactment was the Illinois one which permits a community college district to levy a special tax to pay for liability insurance (13-1).

Coordination

The attempt to coordinate postsecondary education services in order to eliminate unnecessary duplication and to provide for the efficient use of resources was an issue of substantial concern to state legislatures during the last several years. Twenty-three bills were reported in 1976 and twenty-six in 1977 that addressed coordination matters. Thus, it is important to note that only thirteen bills affecting postsecondary coordination were reported in 1978, seven of which were enacted. Each of the three types of coordination bills reported is discussed below.

State-level coordination is a matter still being addressed in some states. Two significant pieces of legislation were passed that affect this type of state-level activity. LB756 enacted by the Nebraska legislature is a comprehensive bill that outlines the specific roles and missions of the three postsecondary segments: the University of Nebraska, the state colleges, and the technical community colleges (27-7). Similarly, a measure enacted in South Carolina directs the State Higher Education Commission to develop a master plan for all public postsecon-

dary education (40-4). Three additional proposals which did not pass were the previously noted Delaware (8-4) and Colorado (6-7) bills designed to create "super" boards with extensive coordinating responsibilities, and the Nebraska proposal which would have created a state system of community colleges (27-14).

Another type of coordination proposal is that designed to provide for regional cooperation. Three states reported such legislative bills. SB2196 passed in California and authorizes regional occupation centers to jointly establish, operate, and share the enrollments and costs of vocational education programs with school districts in the same area (5-89). A measure enacted in Florida provides for agreements between school boards and community colleges relative to training programs authorized under the industry services training programs (9-3).

A third type of coordination effort is interstate cooperation. Two states reported relevant bills and both were enacted. In Maryland, SB545 provides for a reciprocal tuition agreement between community colleges in West Virginia and Maryland (20-5). Passage of legislation in Minnesota provides for that state's participation in the Midwestern Compact which will be operationalized when at least six Midwestern states join (23-1). Once active, the Compact is intended to provide a comprehensive set of educational services to the Midwest region.

Studies and Surveys

Twenty-three bills (19 enacted and 4 proposed) were reported that provide for various types of studies and surveys. Several of these bills addressed statewide concerns. For example, bills passed in New Mexico (31-6) and Nebraska (27-16) call for comprehensive studies of the two-year colleges while a similar proposal was defeated in Missouri (25-5). An enacted Rhode Island measure established a commission to study the state's vocational education system (39-2). Financing also received attention from two states. The Wisconsin budget bill provided for a study of the state's vocational education aid formula (49-3), and in Nebraska, LR278 established a committee to study the financing of the state's technical community colleges (27-15).

In addition to statewide studies, some states reported legislative attention to proposals calling for studies of very specific issues. Several examples can be provided. AB1220 enacted in Wisconsin requires an impact study of the revised tuition policy of the vocational schools (49-2). A measure enacted in New Mexico provides for a study of the credit transfer problem among postsecondary institutions (31-5). Florida reported the passage of a bill that requires the Commissioner of Education to conduct a study of community college administration/instructor ratios and to report to the legislature (9-28). HR13 passed by the Virginia legislature calls for a study of student cheating at all educational levels (46-3). Finally, a California enactment provides for a comprehensive study of cosmetology schools (5-56).

Enabling Legislation

Fewer and fewer legislative proposals are appearing in this category each year. In 1977 there were thirteen relevant bills reported, while in 1978 there were only two. One was LB756 which was passed by the Nebraska legislature. A comprehensive measure, it clearly defines which types of programs and degrees each of the postsecondary segments in the state may offer (27-7). The other, a Maryland measure, was a major revision, restatement, and recodification of the basic state education code pertaining to all levels of education including community colleges (20-10).

Administrative Legislation and Institutional Autonomy

The extent to which individual community and junior colleges are able to act autonomously to serve the educational needs of their local communities is an extremely important issue to most of those interested in community college affairs. State legislative developments, of course, can have a substantial impact on institutional autonomy. It is for this reason that an attempt was made in each of the previous annual legislative studies to gauge the impact of state legislative actions on local institutions.

The same strategy was used in 1978 to understand better the effect of legislative actions on administrative operations at the local institutional level. To do this, all bills classified in the subject categories of governing bodies, policy formation, administrative procedures and coordination were classified according to whether their effect was felt primarily at the state level, the institutional level, or whether it had an important impact at both levels. For all the bills which had the potential to have an impact at the local level, an additional two-fold distinction was made. First, the language of every relevant bill was reviewed to determine if the legislative intent was to require certain actions (mandatory) or merely to permit them (permissive). Second, the content of each bill was analyzed to determine whether the legislative action had the effect of eroding institutional autonomy, supporting institutional autonomy, or simply providing for procedural changes that did not affect institutional autonomy in any substantive way.

The analytical technique used for the 1978 legislation was the same used in the 1977 study. The bills were not identified separately according to each of the five categories – mandatory, permissive, erosive, supportive, and procedural – but instead were cross-tabulated (i.e. mandatory-erosive, permissive-supportive, mandatory-procedural, etc.). The results of this process are shown graphically in Tables 8 and 9. Table 8 provides information on 1978 legislative action alone while Table 9 allows a comparison of the 1977 and 1978 tabulations.

Seventy-two bills with a potential local impact were reported in the four administration subject categories used for this analysis. Table 8 indicates that the language of a large majority of the 1978 bills mandated rather than permitted certain actions (62 bills versus 10). In terms of content, more bills fell into the erosive category (33), with procedural a close second (30), and supportive a

TABLE 8

ADMINISTRATION RELATED LEGISLATION: TYPE OF IMPACT, 1978

	Mandatory Bills 1978	Permissive Bills 1978	Totals 1978
Erosive Bills	32	1	33
Supportive Bills	3	6	9
Procedural Bills	27	3	30
Total	62	10	72

TABLE 9

ADMINISTRATION RELATED LEGISLATION: TYPE OF IMPACT, 1977 and 1978

	Mandatory Bills		Permissive Bills		Totals	
	1977	1978	1977	1978	1977	1978
Erosive Bills	35	32	2	1	37	33
Supportive Bills	3	3	14	6	17	9
Procedural Bills	19	27	3	3	22	30
Total	57	62	19	10	76	72

distant third (9). A comparison of the 1977 and 1978 tabulations also provides some interesting results. First, it indicates that the predominance of legislative mandates was fairly consistent over both years. Second, the distribution of the bills among the content categories was similar for both years as well; that is, the focus seemed to be on erosive bills. Third, the number of procedural measures was quite substantial in both years, although they accounted for a greater proportion of the total number of bills in 1978. Finally, it is important to note that the number of supportive bills decreased from seventeen in 1977 to nine in 1978. In order to provide an indication of the types of activity occurring, examples of bills falling within each cross-tabulated category are reviewed below.

Thirty-two bills were classified in the mandatory-erosive category. This type of legislation requires that certain action be taken while eroding institutional autonomy at the same time. More bills were reported in this category in 1977 and 1978 than in any other. Several examples may be illustrative. A measure enacted in Oklahoma requires all state agencies to have any new rules reviewed by the legislature and prohibits the adoption of new rules if the legislature is not in session (36-5). LB793 in Nebraska failed but was intended to establish a centralized state control system over the technical community colleges (27-19). Measures enacted in Arizona (3-3) and South Carolina (40-1) require public bodies to hold open meetings. A proposal introduced in Illinois would have required that student representatives on college governing boards be given voting privileges (13-15). And in Maryland, SB286 did not pass but would have required the appointment of a faculty member to the Allegany Community College board of trustees (20-18).

Only three legislative proposals were reported that were classified as mandatory-supportive. The best example is SB53 enacted in Utah (44-1). Among other things, this new law provides for the establishment of institutional councils at each of the technical colleges.

Twenty-seven bills were classified as mandatory-procedural. Generally, these proposals require certain action to be taken but the action does not substantially affect institutional autonomy. Three examples are illustrative. A measure enacted in California requires each community college governing board to adopt reasonable regulations that will allow private citizens to place issues on the board's agenda (5-75). HF463 enacted in Iowa requires that the number of members on merged area school boards be increased to nine by 1981 (15-1). A Georgia proposal, vetoed by the Governor, would have prevented any electronic data equipment under the jurisdiction of the Board of Regents from being transferred to the State Department of Administrative Services (10-27).

Only one bill classified as permissive-erosive was reported. That bill, reported by Illinois, would have permitted the Board of Higher Education to establish admission standards if it had passed (13-29).

Six bills classified as supportive-permissive were reported. Three relevant examples can be noted. Two measures reported by California permit two unified school districts to determine if they want to establish separate community college governing boards (5-18, 5-87). HB1075 enacted in Florida makes changes in the Administrative Procedures Act and permits rather than requires a postsecondary institution to suspend a student charged with unlawful possession or sale of a controlled substance (9-7).

The final category is permissive-procedural. Proposals included in this category permit certain actions but in general have no substantive impact on policy. Three 1978 bills were classified in this category. Illustrative is Iowa bill

HF2136. It permits a merged area school board's secretary to be an employee of the board as long as that person is not employed in the capacity of a teacher (15-5).

The analysis of the 1978 bills affecting local institutional administrative operations indicates that state legislatures focused most of their attention on mandatory-erosive and mandatory-procedural matters. This seems to indicate that local control in general is being somewhat undermined either by legislative actions that directly erode institutional autonomy or through actions that impose additional procedural regulations. This interpretation is quite tentative, however, and should be viewed with extreme caution for two reasons. First, the analysis was based on a numerical review that could not take into account the differential qualitative impact of the legislation. Therefore, there is no guarantee that the thirty-two mandatory-erosive bills necessarily will have a greater substantive impact than the six supportive-permissive bills. Second, there seemed to be few major legislative proposals that would have a substantial administrative impact on local control reported in 1978. Thus, while there appears to be a continuation of the erosion of the institutional autonomy reported in previous annual reviews of state legislation, that erosion seemed less dramatic in 1978. This development is one that deserves watching in future reviews to determine if legislatures are being more cautious in their attitudes toward reducing local autonomy.

AREA 3: PHYSICAL FACILITIES

Ten states reported twenty-nine bills affecting physical facilities in 1978 (19 enacted and 10 proposed). This is slightly fewer than the number reported in 1977 when forty-two relevant bills were submitted. This development was somewhat surprising since a substantial number of the bills reported here last year addressed energy-use issues and it was expected that such matters would continue to receive considerable attention from state legislators in 1978. This was not the case, however. If the energy crisis becomes more severe, it is quite possible that legislators will be much more active in this field in the future.

The bills in this category are divided into three subject categories: building codes, construction procedures, and facility regulations. Each of these categories will be discussed in more detail below.

Building Codes

Only three bills relating to building codes were reported. Two examples can be provided. HB1310 enacted in Georgia relates to energy matters and requires the adoption of thermal and lighting efficiency standards for public buildings (10-5). A proposal which failed in Kentucky, would have required local bodies to abide by the state fire marshal's regulations concerning the physically handicapped when remodeling or constructing public buildings (17-13).

Construction Procedures

Ten bills (6 enacted and 4 proposed) that affect construction procedures were reported. Only a few appear to have much substantive impact. Two states, Minnesota and Nebraska, reported enactments which place restrictions on capital construction. The Nebraska measure places a moratorium on all technical community college capital construction except for renovation projects (27-12), while the Minnesota measure provides for legislative and state-level control over new construction (23-5). Such acts are not unexpected given the relative slow-down in community college growth.

Several other bills addressed specific construction matters. Two of these related to environmental impact issues. One of these was an Ohio proposal that, if it had passed, would have required postsecondary institutions considering capital construction projects to prepare a statement outlining the impact of the project on the neighboring political subdivisions (35-12). The other proposal came from California and would have permitted state agencies to override negative environmental impact findings if the project had more important social and economic benefits and/or if alternative projects were more feasible (5-117). Also noteworthy was an Arizona proposal that would have prohibited community college districts from approving coordination plans unless the engineer or architect signed an affadavit stating that the plans complied with all laws for public buildings (3-12).

A final bill in this category that needs to be mentioned is AB1696 enacted by the California legislature. It requires the Department of General Services to review and approve plans for public school and community college buildings to ensure that they meet the handicapped access provisions of the state (5-7).

Facility Regulations

Sixteen bills affecting facility regulations were reported in 1978 (11 enacted and 5 proposed). These bills address several different types of matters. One is handicapped access regulations. Kentucky, Florida, Rhode Island, and Arizona all reported relevant bills. The enacted Florida measure requires that each state agency leasing privately-owned space is responsible for assuring that the facility has accommodations for handicapped people (9-14). The Kentucky proposal which failed would have prohibited discrimination against the handicapped through the existence of inappropriate accommodations in public buildings (17-14). Rhode Island reported the passage of S2464 which requires that all buildings used by public bodies be in compliance with the handicapped access regulations (39-13). And in Arizona, two separate proposals would, if they had passed, have required all public buildings with more than one floor to have an elevator (3-13, 3-21).

Another type of legislation falling into the facility regulation category is bills addressing energy-use related matters. As noted earlier, the amount of

this type of legislation reported in 1978 was not nearly as extensive as expected, despite the concern with energy consumption. Nevertheless, three relevant bills were reported. A measure enacted in Arizona requires the development of thermal and lighting energy-use guidelines for all public buildings (3-10). Florida reported the passage of SB114 which provides for the development of a building energy index to measure building energy efficiency (9-18). And in California, a proposed bill was intended to create an Energy Conservation Aid Fund to assist local public agencies to improve their energy use systems (5-113).

Bills addressing several miscellaneous facility regulation matters are also noteworthy. The Iowa legislature passed SF2022 which prohobits smoking in certain public places and made state agencies responsible for designating smoking areas in their facilities (15-9). A measure enacted in California authorizes community college governing boards to require organizations wanting to use college facilities for athletic events to obtain liability insurance for a minimum coverage of $300,000 (5-51). In Rhode Island, the passage of S2119 requires postsecondary institutions to have fire drills for all of their buildings (39-10).

AREA 4: INSTITUTIONAL GROWTH

Community college systems throughout the country have experienced very little growth throughout the mid-and late-1970s. Nineteen seventy-eight is no exception to this general pattern, as only ten bills relative to institutional growth were reported. This number represents the fewest number of bills reported in any of the seven major areas analyzed in this study. These figures seem to indicate clearly that the steady state continues to characterize the community college sector just as it does postsecondary education in general. As will be noted below, the minimal institutional growth that is occurring is located in the "sun belt" states. This is not to say that capital construction is not occurring in various parts of the country. It is, as noted earlier, although not nearly to the extent it was ten years ago. Instead, what is meant here is that new institutional (college) development is occurring only in the southwest.

New Institutions

Three bills were reported that would establish new institutions. The only one that was acted on favorably, however, was a measure passed by the New Mexico legislature which authorizes the sale of revenue bonds valued at $4 million to be used to purchase the University of Albuquerque or other land for the purpose of creating a community college (31-2). One of the bills that did not receive approval was a proposal introduced in the Arizona legislature. It would have appropriated $500,000 in capital funds for the construction of a community college campus in South Phoenix if it had passed (3-20).

Institutional Expansion

Two measures, both enacted, were reported in this category. The one of primary importance is HB4 enacted by the New Mexico legislature. It permits the Albuquerque Technical-Vocational Institute to expand into a comprehensive community college if the district voters give their approval (31-3). The other is a Tennessee enactment that directs the Commission on Higher Education to do a study to determine the feasibility of constructing a classroom facility at a community college extension center (42-2).

Name Changes

Two states reported new laws changing the names of community colleges. Neither of the name changes appears to be related to functional changes, however. One of the changes occurred in Colorado where the name of El Paso Community College was changed to Pikes Peak Community College. The other was reported by Rhode Island and renames the Blackstone Valley Campus of Rhode Island Junior College the Dr. William F. Flanigan Campus in honor of his service as president of the Rhode Island Junior College (39-9).

Restrictions on Growth

Only three states reported legislative action that overtly restricts growth. Those states were Oklahoma, South Carolina, and Nebraska where the legislatures enacted the measures. The Oklahoma resolution prohibits the establishment of any additional public institutions or centers of higher education (36-4). The South Carolina restriction was part of the measure expanding the powers of the State Commission on Higher Education and requires that any new institutional expansion be approved by the Commission (40-4). And in Nebraska, LB922 placed a moratorium on capital construction for technical community colleges except for limited renovation projects (27-12).

AREA 5: PERSONNEL

The amount of state legislative action affecting personnel matters reported in 1977 represented a dramatic threefold increase over the amount reported for 1973-75 and 1976. One hundred twelve personnel bills were reported in 1978. Although this represents a decrease from the 141 bills reported in 1977, it does indicate that personnel matters continue to receive considerable attention from state legislatures throughout the country.

The reported personnel bills are divided into four categories: employee benefits, employee rights and regulations, collective bargaining, and faculty workload. As in the past, the category receiving the most attention was employee benefits. Only the first three categories noted will be discussed below, since no bills affecting "faculty workload" were reported for 1978.

Employee Benefits

Fifty-seven of the 112 reported personnel bills dealt with employee benefits (45 enacted and 12 proposed). Twenty-eight of these 57 bills addressed retirement issues. A number of different retirement matters were identified. Three states enacted measures which change the mandatory retirement age for teachers and/or state employees. The Arizona (3-4) and Tennessee (42-6) enactments would permit retirement at age 70 instead of 65, and the Rhode Island law provides that teachers shall not be required to retire at a younger age than any other state employees (39-4). Two states, Arizona (3-8) and Missouri (25-8), also reported proposals which permit state or teacher retirement plan members to retire after twenty-five years of service although only the Arizona bill passed. Other examples of retirement bills include a California enactment which allows community college administrators to reduce their workload from full-time to part-time without loss of retirement benefits under certain circumstances (5-88), a Wisconsin proposal which would have had the state assume the employer's contribution for teacher retirement and social security costs (49-8), and a Tennessee enactement that permits postsecondary employees to have their salary reduced by the amount of their contributions to any retirement plan and have the employer make the contributions for them (42-1).

Some of the reported employee benefits bills dealt primarily with unemployment and workmen's compensation matters. Five states reported unemployment compensation bills. For example, Florida (9-15) and Tennessee (42-9) both reported enactments that prohibit educational employees from receiving unemployment benefits during scheduled vacations and breaks. California (5-3) , Georgia (10-16), and Ohio (35-4) reported new laws that make state unemployment compensation laws conform with the federal law. Florida (9-16), Georgia (10-9) and Missouri (25-2) also reported technical changes in their workmen's compensation laws.

Bills providing for fringe benefits were the focus of other employee benefit bills. An Arizona enactment provides that state employees may be eligible for overtime compensation if required to work in excess of the normal work week (3-2). In Tennessee, SB1687 provides for the transfer of sick leave for persons who have moved from a local school system to a state agency or postsecondary institution since 1965 (42-7). And in California, an enacted measure provides that pregnancy be treated as any other temporary disability and thus makes pregnant employees eligible for disability benefits (5-12).

State legislative action providing for per diem and salary increases were reported by a number of states. Five states reported per diem increases with two of them increasing per diem rates for college board members and three states raising the mileage rates. Seven states reported various types of salary increases with only one of the proposals failing to receive legislative approval. For example, AB1220 enacted in Wisconsin provides for retroactive pay increases and cost control adjustments (49-2); legislation enacted in Tennessee provides for salary

increases for community college employees ranging from 6.5 to 7.5 percent (42-2); a supplemental appropriation in Indiana provides for a 7.9 percent salary increase for postsecondary employees (14-1); and the North Carolina legislature approved a 6 percent salary increase for community college personnel (33-1).

Employee Rights and Regulations

State legislatures in recent years have focused considerable attention on legislative proposals that protect the rights of state employees and regulate employers' actions. This, in part, seems to be a reaction to the growing strength of public employee organizations and the desire on the part of legislatures to make public employment attractive. Legislative action in 1978 continued to follow this trend as eleven states reported thirty-nine bills related to employee rights and regulations.

Legislative items in this subject category address a number of issues. One is due process procedures affecting state employees. Three states reported such proposals although only one was enacted. In Arizona, SB1425 provides for due process procedures for community college faculty who are dismissed (3-22). Two proposed bills in California would have prohibited disciplinary action against an employee without a hearing (5-106), and would have held that an employee must be notified when a recommendation has been made to terminate his employment, thus allowing the employee to request a hearing (5-101). Also noteworthy is a measure enacted by the Ohio legislature which permits classified employees to appeal a suspension of any length of time (35-1).

Proposals related to affirmative action, discrimination, and employment preference also continue to receive attention. Three states reported such bills. A measure enacted in California requires community colleges to establish affirmative action plans, and thus clarifies previously adopted regulations (5-77). Another California enactment makes it unlawful to discriminate against a pregnant woman with regard to hiring and/or promotion (5-12). A bill passed in Georgia prohibits discrimination in state employment because of race, color, religion, national origin, sex, handicap, or age (10-17). And in Florida, SB539 was passed and requires that veterans be given appointment and promotion preference in public agencies including colleges (9-27).

The passage of Proposition 13 by California voters raised the possibility that large numbers of local agency public employees might have to be released. Two bills reported by California addressed this problem. SCR94, which passed, urged local agencies to consider temporary worktime alternatives to massive layoffs and requests the State Employment Development Department to provide technical assistance to local agencies to help them develop such alternatives (5-92). The other proposal did not pass, but would have permitted local agencies to release personnel on the basis of work needs rather than by the drawing of lots when two employees had the same amount of seniority (5-127).

Bills designed to provide liability protection for employees or citizens acting in a public capacity were reported by four states. A measure enacted in Maryland allows the state to pay for a judgment against a state employee if the employee was properly fulfilling his responsibilities (20-6). A New York proposal would have provided for the defense and indemnification of state employees but was vetoed by the Governor (32-14). A new Rhode Island enactment requires school committees and the Board of Regents to provide liability protection for teachers and other employees (39-12). A rather unique law passed in California provides liability protection for any physician rendering voluntary emergency medical assistance at any high school or community college athletic event (5-17).

Several other interesting legislative items dealing with employee rights were also reported. As noted earlier, a Maryland proposal would have added a faculty member to a community college board of trustees (29-17) and an enacted Kentucky measure does add a faculty member to the Council on Public Higher Education (17-5). A California proposal would have required governing boards to inform temporary employees of whom they were replacing and how long they would be on leave (5-108). And in Florida, the passage of HB5 authorizes state agencies to recruit and train volunteers that can provide service to the agencies (9-1).

Collective Bargaining

Collective bargaining matters continue to receive some attention from various state legislatures. A total of sixteen collective bargaining bills were reported. Twelve of the sixteen bills dealt with the establishment of collective bargaining for all public employees or educators although these bills came from only seven states and only two of the proposals were enacted. In a potentially important development, the Maryland legislature passed HB2133 which authorizes collective bargaining for employees of the Montgomery Community College (20-4). This is the first collective bargaining bill passed for public employees in the state. Other proposals to extend collective bargaining to other community colleges and/or all Maryland public employees did not pass. Also enacted was a California bill that extends collective bargaining to employees of the University of California and California State University systems (5-5). Other states reporting bills that would establish public employee collective bargaining were Arizona, Illinois, Kentucky, Missouri, and Ohio. Proposals in the first four of those states failed to receive legislative approval while the Governor of Ohio vetoed that state's collective bargaining proposal.

Three states reported bills that would affect current collective bargaining laws. Two examples are illustrative. A measure enacted by the New York legislature requires an employee organization to refund on request any part of an agency shop fee deduction that was used for political purposes (32-2). AB2744 did not pass in California but would have permitted an employer and an employee organization to negotiate an agency shop agreement (5-104).

AREA 6: STUDENTS

Eighty-nine bills (58 enacted and 31 proposed) that directly affect students were reported in 1978. This is only slightly less than the ninety-six reported in 1977. These bills are classified into three subject categories: student rights and responsibilities, tuition and fees, and student aid. Bills identified with each subject category will be discussed below.

Student Rights and Responsibilities

The question of the appropriate rights and responsibilities for postsecondary students is one that has been much discussed and debated since the period of student activism in the 1960s. The fact that twenty-two students' rights bills were reported seems to indicate that the issue still attracts the attention of state legislators.

The 1978 student rights and responsibilities bills address five general areas. First, more bills were concerned with student representation on various boards than with any other topic. Eight states reported eight relevant proposals. Four of them were enacted, while the other four failed to receive legislative approval. The measures that passed were a Connecticut bill that allows students to elect their representatives to the State Board of Higher Education instead of having them appointed by the institutional governing boards (7-3); a Kentucky measure adding a student as a voting member to the Council on Public Higher Education (17-5); a Minnesota bill that provides for the appointment of student members to the State Board for Community Colleges and to the local advisory committee for each community college (23-3); and a Utah measure that provides for student representation on the new institutional councils of the two technical colleges (44-1). The Illinois, Maryland, Wisconsin, and Pennsylvania legislatures defeated proposals which respectively would have provided for student voting on boards (13-15), added a student representative to one local community college board (20-16), provided for student members on VTAE district boards (49-10), and required student representatives on each community college board (38-4).

A second issue addressed by student rights proposals is that of providing for student grievance procedures. It is important to note, however, that neither of the two relevant bills were acted on favorably. One was a California bill which would have required postsecondary institutions to develop due process procedures before disciplining or dismissing students (5-112). The other was a Wisconsin proposal which would have provided for student rights at vocational schools and public universities (49-4).

A third area of interest is student-controlled fees and expenses. A Connecticut proposal would have permitted a minimum of twenty-five rather than forty percent student body participation in a referendum to determine if the student government could completely control student activity fees (7-14). AB1606, a proposal defeated in the California legislature, would have permitted

a community college student body association to impose a $10 mandatory student activity fee (5-97). A relevant measure that did pass in California provides $7,500 for community college students to attend certain types of meetings (5-29).

A fourth area of concern here is student liability. The Connecticut and California legislatures both enacted measures related to this matter. The Connecticut law provides students in clinical experience field programs with legal protection from any losses attributable to their actions in the course of the program (7-8). The California legislature passed AB3808 which permits community college districts to require students to secure medical insurance coverage as a prerequisite to enrollment in courses involving hazardous activities (5-53). An Ohio proposal to extend immunity from civil liability to those training for certification as emergency medical technicians was defeated (35-13).

Finally, two proposals which did not pass would have provided students with special types of privileges. A California proposal would have prohibited discrimination in housing accommodations because a person is a student (5-96). And in Wisconsin, AB926 would have exempted full-time students from the requirements of union or agency shop agreements but it failed to receive legislative approval (49-12).

Tuition and Fees

Thirty-two tuition and fee bills (23 enacted and 9 proposed) were reported in 1978, approximately the same number as reported the previous year. The bills fell into several topical areas. One is tuition increases. Massachusetts, Missouri, Oklahoma, and Wisconsin reported such proposals; significantly, only the Missouri bill failed to pass. The Massachusetts measure provides for a mandated formula for out-of-state tuition for postsecondary institutions that increases out-of-state tuition for community college students from $600 to $1400 (21-3). SB515, passed in Oklahoma, increases fees and tuition in the Oklahoma system of higher education (36-7). Two relevant Wisconsin measures were enacted. The annual review bill includes a section that revises the VTAE tuition policy and requires an impact study (49-2), while SB77 authorizes student activity and incidental fees while also revising the nonresident tuition policy (49-3). Other tuition-related bills were reported by Tennessee, Kansas, and New Mexico. The Tennessee enactment provides for a consistent fee charge among all postsecondary institutions and requires the various state level boards to consult with the Higher Education Commission before establishing fee charges (42-2). Kansas reported a new law that prevents community colleges from charging out-district tuition to a student's county of residence if that county has a similar program to the one in which he is enrolled (16-1). The New Mexico bill, which failed, would have requested the Board of Educational Finance to prepare a plan for tuition equalization for students attending private institutions (31-13).

A number of legislative proposals were concerned with providing special groups of students with tuition or fee waivers, or with allowing them to defer

payments. Arizona, Georgia, Maryland, New York, and South Carolina all reported senior citizen tuition waiver proposals. The Georgia (10-23), Maryland (20-9), and South Carolina (40-2) bills were enacted while those from Arizona (3-14) and New York (32-13) failed. Veterans were provided with tuition waivers in Connecticut (7-5), but the Minnesota legislature failed to pass a similar proposal with regard to area vocational schools (23-8). In related developments, LB564 enacted in Nebraska increases tuition credits to 75 percent for National Guardsmen (27-3); SB1272 enacted in Florida provides fee waivers for dependent children of special risk members of the state retirement system who have been killed in the line of duty (9-36); and SB581 in Wisconsin would have provided fee waivers for volunteer firefighters if it had passed (49-18). Finally, the Florida and Tennessee legislatures passed acts that allow students receiving private or government benefits to defer payment until their benefit checks arrive (9-5, 42-5).

Several other tuition and fee proposals were reported. A measure enacted in Colorado directs the Colorado Commission on Higher Education to propose an enrollment incentive program for summer sessions at state-supported postsecondary institutions by developing an adjusted tuition rate (6-5). As previously noted, a reciprocal tuition agreement between Maryland and West Virginia Community Colleges was enacted (20-5). Finally, Arizona and South Carolina passed bills that clarify residency requirements (3-5, 40-6).

Student Aid

Student aid bills were not as prevalent in 1978 as they were the previous year. Thirty-five such bills were reported compared to forty-five in 1977. Several states, however, reported bills establishing major new aid programs or revising old ones. A measure enacted by the Nebraska legislature establishes a scholarship program for undergraduates attending private or public institutions in the state. The maximum possible award is $1800 and although full-time students are to receive first priority, part-time students are eligible (27-6). The Iowa legislature passed a bill authorizing a state guaranteed loan program for resident and nonresident students attending Iowa postsecondary institutions with maximum awards of $2500 for undergraduates and $5000 for graduates (15-11). In California, the passage of AB3038 increases the number of Cal Grant awards by 800 to 23,862 (5-38). Maryland and Georgia also reported new student aid program proposals. The Maryland bill which passed provides for a Distinguished Scholar Program to award one hundred scholarships to those students in the state who have the most academic potential (20-7). The Georgia bill was a proposed constitutional amendment which among other things authorizes the General Assembly to provide a variety of forms of aid to students for educational purposes (10-26).

Several legislative proposals were concerned with student aid regulations and eligibility requirements. For example, three bills introduced in New York would have extended tuition assistance awards to part-time students (32-12), increased summer session aid (32-8), and permitted adjustments to financial aid

awards if a student's financial situation changed substantially (32-10). None of the three proposals were acted on favorably by the New York legislature however. A proposal which failed in Connecticut was intended to remove the requirement that only first-time college students are eligible for the State Scholarship Program, a requirement that effectively excludes many community college students from the program (7-12). An Ohio enactment extends instructional grants to students at those nursing schools that offer diplomas (35-2). An interesting Wisconsin proposal that did not pass but was in effect student-aid oriented was AB1160. It would have provided for a deferment of a portion of state income taxes as a result of educational expenses (49-15).

Unlike 1977, very few proposals were reported in 1978 that would provide aid for special groups. Two such bills can be noted however. A measure enacted in Oklahoma provides scholarship funds for National Guardsmen (36-1), while a Minnesota proposal to increase financial assistance to veterans was defeated (23-10).

AREA 7: ACADEMIC PROGRAMS

Sixty-six pieces of legislation affecting academic programs were reported in 1978. This is approximately the same number that was reported in 1977. Bills affecting academic programs are divided into two subject categories: (1) curriculum, and (2) certification and accreditation. Examples of legislative proposals falling into both categories are discussed below.

Curriculum

Forty-two bills that affect postsecondary education curriculum matters were reported. Traditionally, state legislatures have refrained from imposing specific curriculum restrictions and/or guidelines on postsecondary institutions. That trend continued to be the case in 1978 when only four bills that could be construed as restrictive in nature were reported. One was a resolution adopted in Rhode Island requesting the Board of Regents to have material on the life of General Nathaniel Green included in history courses taught at all postsecondary institutions (39-6). Another was enacted by the California legislature and requires public schools and community colleges to include in appropriate courses discussion of the contribution of Pacific Island men and women to the development of California and the United States (5-91). Two other relevant California bills were also reported. One prohibits the establishment of any new cosmetology programs without a "needs" study (5-85), and the other would have required a job market survey before the establishment of any vocational education program for adults if it had passed (5-128).

A substantial number of bills that provided for new programs were reported in 1977. Some bills of this kind also were reported in 1978 but not nearly as many. A bill introduced in the Arizona legislature was intended to provide funds for the establishment of noncredit courses for senior citizens but failed to

receive legislative approval (3-14). A proposal reported by Illinois would have permitted the College Board to fund job-training program agreements between new or expanding industrial firms and postsecondary institutions if it had passed (13-33). Two program bills from New York are relevant although both failed. One was designed to establish six regional small business extension service programs in cooperation with postsecondary institutions (32-9). The other would have redefined the practice of professional nursing and included a baccalaureate degree among the qualifications for the Registered Professional Nurse (32-7). Virginia reported the enactment of three measures that call for training programs for emergency medical care technicians (46-5), firefighters (46-6), and law enforcement personnel (46-7). Although the legislation does not direct community colleges to develop these training programs, it is possible the Virginia Community Colleges will do so.

One other issue receiving some attention in 1978 was legislation related to career and vocational guidance programs for a vareity of groups of individuals. For example, the Minnesota legislature enacted a measure that establishes a statewide career guidance, testing, and information program under the Higher Education Coordinating Board. Not only is the program intended to help secondary and postsecondary students develop career plans, but it is also designed to help postsecondary vocational and academic institutions to identify students for their programs (23-2). AB2020 enacted in California calls for the establishment of a statewide Occupational Information System (5-15). A somewhat related measure was also reported by California. It provides for pilot projects both to help increase the accessibility of postsecondary education to low income students and to assist community college students to transfer to four-year institutions (5-2).

Certification and Accreditation

Twenty-eight bills were reported that address certification and accreditation matters. Several of these bills focused on certification guidelines and regulations. For example, CSSB185 enacted in Florida provides for certification requirements for hearing aid dealers beginning in 1979 (9-19). A measure passed by the Connecticut legislature outlines regulations concerning the licensing of occupational therapists and occupational therapy assistants (7-2). And in Nebraska, LB658 eliminates the requirement that nurses take review courses before relicensing (27-5).

The problem of credit transfer between postsecondary institutions is one that has plagued many states for a number of years; two states reported bills that deal with this issue. The New Mexico legislature enacted HM7 which provides for a study of credit transferability (31-5), while the Wisconsin legislature defeated a proposal designed to clarify credit transfers (49-11). One particularly interesting proposal dealing with postsecondary education credit was enacted in

New Mexico. It calls for a feasibility study to examine the possibility of establishing a "credit bank" for the accumulation of units of college credit, work, travel, correspondence study, and artistic or literary achievement on a single transcript that would be recognized by all state institutions (31-9).

Only four accreditation-related bills were reported this year. Two of these are concerned with the recent "diploma mill" phenomenon and would provide means to prohibit the selling of postsecondary degrees. California (5-54) and Arizona (3-18) reported these bills but only the California measure was enacted. In related developments, the Minnesota legislature passed a measure that requires all out-of-state institutions to register annually (23-4), while AB3083 enacted in California provides for the regulation of real estate license programs (5-52).

III

LEGISLATIVE INTENT AND THE IMPACT OF STATE LEGISLATION ON COMMUNITY COLLEGES

The impact of state legislation on community colleges is not only the result of specific legislative actions directed solely at these institutions. Community colleges function in a public environment in which legislation designed for all postsecondary institutions or state governmental bodies in general often has an impact on the community colleges as well. The extent to which this occurs and with what results are topics that have been unexplored in the past. They are important matters, however, because they provide an indication of the issues on which state legislatures willingly or inadvertently lump community colleges together with other institutions in the policy-making process, and those issues on which legislatures tend to treat community colleges as unique educational enterprises.

The question at stake here is a crucial one, for it has to do with the extent to which community college activities and constituents can be considered just like those of other postsecondary institutions or state governmental bodies. For example, can the administrative policies needed for community colleges be considered similar to those of other state bodies? Or, is the state legislation that affects students at four-year institutions necessarily appropriate for community college students as well? No answers can be provided to these questions from the data available. What can be provided, however, is a general outline of the characteristics of state legislation that ultimately affects community colleges.

In order to begin to address the question of the extent to which state legislation affecting community colleges is directed specifically at these institutions and the extent to which it is intended to have a more comprehensive thrust, all the relevant legislation reported except that providing for general appropriations and capital funds has been classified into four categories: (A) legislation intended for community colleges only, (B) legislation intended for postsecondary education where community colleges are also affected, (C) legislation intended for educational institutions but excluding community colleges, and (D) legislation intended for state bodies in general that has no particular educational thrust but which affects community colleges nonetheless. The results of this classification process are portrayed graphically in Tables 2 and 3, as well as in Tables 10 and 11. The latter two tables are more condensed versions and will be reviewed in detail below since they more succinctly illuminate the issues at stake.

There are essentially two ways to analyze the "legislative intent" data. One is to examine the data using the four "legislative intent" categories – A,B, C,D – as the primary grouping for analysis and the seven area categories as the secondary units. Table 10 provides the basis for this type of analysis since the percentages are calculated down the columns.

TABLE 10

LEGISLATIVE INTENT ACCORDING TO EDUCATIONAL OR GOVERNMENTAL SEGMENT AFFECTED

(Percentages Calculated Down The Columns)

	Legislation Intended for Community Colleges Only		Legislation Intended for Postsecondary Institutions in general including Community Colleges		Legislation Intended for Educational Institutions but excluding Community Colleges		Legislation Intended for State Bodies in general with no particular educational thrust	
	#	Column %	#	Column %	#	Column %	#	Column %
Finance	39	21.8	17	8.0	0	0	45	30.2
Administration	57	31.8	54	25.3	0	0	25	16.8
Physical Facilities	6	3.4	5	2.4	0	0	18	12.1
Institutional Growth	7	3.9	3	1.4	0	0	0	0
Personnel	29	16.2	32	15.0	0	0	51	34.2
Students	22	12.3	64	30.1	0	0	3	2.0
Academic Progress	19	10.6	38	17.8	2	100.0	7	4.7
Grand Total	179		213		2		149	
Column Totals in %		100.0		100.0		100.0		100.0
Row %		33.0		39.2		.4		27.4

Table 10 reveals several interesting findings. One is that the grand legislative totals indicate that more legislation designed for postsecondary institutions in general is affecting community colleges than any other type (39.2%). This point should not be stressed too much, however, since substantial percentages also appear for legislation intended specifically for community colleges (33.0%), and for legislation intended for state bodies in general (27.4%).

Perhaps more interesting are the data that appear in each of the four columns of Table 10. Column A isolates legislation that has an impact on community colleges only. The data in this column reveal that legislation developed specifically for community colleges is more likely to address administrative (31.8%) and financial matters (21.8%) than any other type. Column B provides information on legislation intended for postsecondary institutions in general but which also affects community colleges. The distribution pattern of legislation here indicates that student matters (30.1%), followed by administration (25.3%) and academic programs (17.8%) are the most prevalent objects of concern under these circumstances. Column C identifies legislation that has no effect on community colleges but does affect other educational institutions. In the past, states reported some legislation of this nature because it was felt that some of it might provide an indication of legislative issues that may affect community colleges in the future. As is clear from Table 10, hardly any of this type of legislation was reported in 1978. Column D isolates that legislation which affects community colleges but which was not specifically designed to do so; that is, it identifies legislation that affects state governmental bodies in general. What Column D reveals is that personnel (34.2%) and financial (30.2%) matters are the ones most often affected by this omnibus type of legislation.

The second major way to address the legislative intent issue is to use the seven area categories—finance, administration, etc.—as the primary focus of analysis and the four legislative intent categories as the secondary focus. This is essentially what is done in Table 11 and thus the percentages are calculated according to the rows. The impact of legislative intent on all of the area categories will be discussed below with the exception of the physical facilities and institutional growth categories. These were eliminated from the analysis because of the limited number of legislative items reported for these categories.

Table 11 reveals some interesting patterns. The row for legislative items addressing financial issues indicates that the largest percentage of these proposals are products of legislatures' attempts to affect the financial operations of state bodies in general and not community colleges in particular (44.6%). Certainly it is important to note that a substantial percentage of the finance-oriented bills were intended specifically for community colleges (38.6%), but the large percentage of financial bills intended for state bodies in general seems to be a significant occurrence.

TABLE 11

LEGISLATIVE INTENT ACCORDING TO TOPICAL AREAS AFFECTED
(Percentages Calculated Across The Rows)

	Legislation Intended for Community Colleges Only		Legislation Intended for Postsecondary Institutions in general including Community Colleges		Legislation Intended for Educational Institutions but excluding Community Colleges		Legislation Intended for State Bodies in general with no particular educational thrust		Total	
	#	Row %	#	Row %	#	Row %	#	Row %	#	Column %
Finance	39	38.6	17	16.8	0	0	45	44.6	101	18.6
Administration	57	41.9	54	39.7	0	0	25	18.4	136	25.1
Physical Facilities	6	20.7	5	17.2	0	0	18	62.1	29	5.3
Institutional Growth	7	70.0	3	30.0	0	0	0	0	10	1.8
Personnel	29	25.9	32	28.6	0	0	51	45.5	112	20.6
Students	22	24.7	64	71.9	0	0	3	3.4	89	16.4
Academic Programs	19	28.8	38	57.6	2	3.0	7	10.6	66	12.2

Legislation affecting the administration of community colleges does not follow the same pattern as that identified for finance. Table 11 reveals that legislation that affects the administration of community colleges is either intended specifically for community colleges (41.9%) or for postsecondary institutions in general (39.7%). Only 18.4 percent of the administrative bills were intended to affect state bodies in general.

Legislation that affects community college personnel has assumed increasing importance with legislatures in the last few years. It is therefore important to note that the largest percentage of bills in this category is designed for state governmental bodies (45.5%) and thus only affects community college personnel because they are included in the state governmental framework. This is not to say that some legislation is not designed specifically for community college and/or educational personnel. Specifically, 28.6 percent of all personnel legislation was intended for postsecondary institutions in general while 25.9 percent focused only on community college personnel. Nonetheless, the fact that nearly half of the personnel legislation was a product of legislation intended for all state government employees cannot be overlooked.

It is clear from the 1978 study of legislation as well as from the previous legislative reviews that legislatures give considerable attention to student matters. What is not so clear is how the legislatures perceive postsecondary students. Are all postsecondary students lumped into one group or is there some differentiation? Table 11 seems to indicate that there is not much differentiation accorded by the legislators. This is indicated by the fact that 71.9 percent of the student legislative items submitted were intended to affect postsecondary students in general. This is not to say that this occurs all of the time. Student legislation was designed specifically for community college students 24.7 percent of the time. The substantial differences in the percentages is something that must be noted, however.

Academic programs is the final area category used for this aspect of the legislative analysis. Table 11 shows that legislation affecting community college academic programs often is rooted in more general postsecondary concerns (57.6%), while academic program legislation specifically for community colleges is less abundant (28.8%). It appears then that in this area too, community colleges must be prepared to respond to state legislative developments that involve them only as another part of the comprehensive postsecondary enterprise and not as unique postsecondary institutions.

The way in which state legislatures view community colleges when developing legislation and the way in which community colleges are affected by different types of legislation are important issues. An attempt was made above to begin to shed some light on these issues by examining the legislative intent implied in legislative actions to determine in what ways community colleges are affected. Certainly this was only a preliminary attempt at this type of analysis and therefore no definitive statements about what is happening can be made.

Still, it does seem appropriate to offer at least some tentative conclusions.

First, community colleges are significantly affected by state legislation that is primarily intended to have an impact on other entities. That is, community colleges operate in a complex network in which at times they are subsumed under other, more comprehensive bodies such as postsecondary education or state governmental bodies in general. This probably comes as no surprise to those knowledgeable about community colleges. What is surprising, though, is that most of the time the state legislation affecting community colleges is intended for the more comprehensive entities and only about one-third of the time are community colleges affected by state legislation specifically intended for them. Second, when state legislatures concern themselves with community colleges as unique institutions, they most often focus attention on administrative and financial issues affecting these institutions. The most legislation intended specifically for community colleges was reported in these two categories. Third, legislation intended to affect state government in general has a tremendous impact on the personnel as well as the financial policies of community colleges. Fourth, state legislative action that affects community college students and academic programs is often a product of state legislatures' attempts to have an impact on postsecondary education in general and not community colleges in particular.

These conclusions probably raise more questions than they answer. For example, does it matter that community college students are often simply combined with other postsecondary students when state legislation is developed? Are there any consequences to the fact that community college personnel policies are affected substantially by legislation designed for state governmental bodies in general? Should the financial policies of community colleges be affected as much as they are by financial legislation that is basically concerned with state governmental bodies in general? Further research will be needed to answer these questions as well as to identify more specifically the relationship between community colleges and state legislative intent.

IV

SUMMARY AND CONCLUSIONS

This annual survey of state legislation affecting community and junior colleges is designed to acquaint community college educators with educational, financial, and political issues that are attracting the attention of state legislators in the fifty states. It is a fair assumption that educators are knowledgeable about the important legislative matters being debated in their own states, but often have little opportunity to familiarize themselves with questions that transcend state boundaries. This chronicle and discussion of legislative activity is designed to rectify this shortcoming of minimal means of developing inter-state, regional, and national perspectives, both of issues which attract state legislative notice and of trends in their treatment.

The intent of this study, however, is to be more than a mere chronicle. Rather, it is to identify patterns, issues, and questions that provide some indication of the overall direction and impact of state legislation on community colleges throughout the country. It is admittedly a difficult and in some senses and times a delicate task to identify trends based on the state legislation of any given year. As the series of which this annual survey is a part is extended, however, more insightful conclusions can be drawn and interpretations made. Nevertheless, it is extremely important to remember that the conclusions and observations offered are tentative ones that future events and studies will confirm, deny, or modify.

Given the qualifications noted above, what does the state legislation reported in 1978 reveal? Some specific answers can be given to that question but first, the environmental setting must be established. Community colleges essentially operate in two different environmental contexts simultaneously. The types of relationships and interactions that occur in each environment are extremely important to the successful operation of these institutions. One is an external environment; that is, the institutions' involvement with outside bodies such as the local, state, and federal governments, accrediting agencies, industry, citizen groups, community organizations, etc. The other is the internal environment; that is, various operations and activities of the constituencies within the institutional context. State legislation certainly does not affect all of the activities and relationships of community colleges within both of these environments, but it does affect some. At the same time, state legislation can extend developments and relationships begun by previous legislation or it can initiate new concerns and activities within each environment.

The remainder of this discussion attempts to do two things. First, it summarizes the legislative developments discussed previously by placing them within the context of the external and internal environments. Second, it attempts to identify which issues state legislatures are handling the same as in the past—that is, where there is continuity—and also where there is evidence of new de-

velopments within the external and internal environments as a result of state legislative developments.

The External Environment and State Legislation—Continuity

State legislation reported in 1978 did have an impact on the external environment in which community colleges must operate. The effect of some of the legislation was to continue certain legislative trends affecting the external environment begun in previous years. One example of this is the willingness of state legislatures to remain actively involved in postsecondary educational matters in general, and community and junior college matters in particular. This is clear from the fact that state legislatures were quite active in community college matters in 1978. Almost as many pieces of legislation affecting community and junior colleges were reported in 1978 as in 1977 (527 compared to 578). Significantly, this occurred despite the fact that a number of state legislatures did not meet in 1978, while several others held only special sessions. In general, state legislatures have been quite active in the last three years and especially during the last two, as Tables 12 and 13 indicate. Whether or not state legislatures will continue their high interest is an important issue for future annual studies of state legislation to review because the more active they are, the more effort community colleges must put into interacting with, monitoring, and complying with this aspect of their external environment. Currently there seems to be little indication that extensive state legislative involvement in community colleges affairs will not continue as it has in the recent past if 1978 state legislative activity is an accurate indicator.

Another aspect of the external environment affecting community colleges that deserves attention is the way that state legislatures view colleges when determining what is appropriate legislation. It will be recalled that the 1978 legislation was analyzed to determine for whom the legislation that ultimately had an impact on community colleges was intended. That analysis indicated that only about one-third of all legislation affecting community colleges was intended specifically for them while legislation intended either for postsecondary education or state government in general comprised the other two-thirds. Although there is no comparable analyses from the previous legislative reviews, there is no reason to believe that this is a new trend.

It is clear, therefore, that community colleges are the direct as well as the indirect recipients of legislative attention. This certainly has serious implications because it means that community colleges cannot assume that the external environment in which they operate is one in which external bodies deal with them exclusively on a one-to-one basis. Rather, state legislatures often lump community colleges together with other agencies when legislation is considered and enacted. The precise impact of this type of action needs to be more fully investigated, but clearly it means that community college leaders must be prepared to monitor state legislative activities that encompass a broader scope than community colleges alone. In addition, on some issues, it may mean that community

TABLE 12

REVIEW OF LEGISLATION BY SEVEN MAJOR AREAS – 1976, 1977, 1978

Major Areas	Legislation Enacted			Legislation Proposed			Total		
	1976	1977	1978	1976	1977	1978	1976	1977	1978
Finance	76	134	154	19	50	51	95	184	205
Administration	69	107	93	79	87	43	148	194	136
Physical Facilities	4	25	19	2	17	10	6	42	29
Institutional Growth	7	5	8	9	7	2	16	12	10
Personnel	24	66	76	19	75	36	43	141	112
Students	44	61	58	23	35	31	67	96	89
Academic Programs	13	30	42	15	30	24	28	60	66
Totals	237	428	450	166	301	197	403	729	647

TABLE 13

REVIEW OF LEGISLATION BY TWENTY-FIVE CATEGORIES – 1976, 1977, 1978

Subject Categories	Legislation Enacted			Legislation Proposed			Total		
	1976	1977	1978	1976	1977	1978	1976	1977	1978
Appropriations	28	47	55	3	8	12	31	55	67
Capital Funds	14	24	29	4	7	8	18	31	37
Financial Procedures	34	63	70	12	35	31	46	98	101
Governing Bodies	12	17	28	24	20	14	36	37	42
Process of Policy Formation	14	16	12	17	15	11	31	31	23
Administrative Operations	26	33	26	19	30	8	45	63	34
Coordination	9	16	7	14	10	6	23	26	13
Studies and Surveys	5	18	19	5	6	4	10	24	23
Enabling Legislation	3	7	1	0	6	0	3	13	1
Building Codes	4	4	2	2	5	1	6	9	3
Construction Procedures	–	17	6	–	7	4	–	24	10
Facility Regulations	–	4	11	–	5	5	–	9	16
New Institutions	3	1	1	2	3	2	5	4	3
Institutional Expansion	2	2	2	1	2	0	3	4	2
Name Changes	0	1	2	2	1	0	2	2	2
Restrictions on Growth	2	1	3	4	1	0	6	2	3
Employee Benefits	13	41	45	10	32	12	23	73	57
Employee Rights	8	18	26	5	24	13	13	42	39
Collective Bargaining	3	5	5	3	17	11	6	22	16
Faculty Workload	0	2	0	1	2	0	1	4	0
Student Rights and Responsibilities	19	11	12	9	7	10	28	18	22
Tuition and Fees	15	23	23	5	10	9	20	33	32
Student Aid	10	27	23	9	18	12	19	45	35
Curriculum	11	26	21	11	20	17	22	46	38
Accreditation and Certification	2	4	21	4	10	7	6	14	28
TOTALS	237	428	450	166	301	197	403	729	647

college representatives will have to do a better job of informing state legislators of their unique aspects, thus enabling their institutions to receive appropriate treatment.

The extent to which state legislatures are willing to provide public funds for community colleges is an important activity in the external environment that these institutions monitor closely. The review of 1978 state appropriations for community colleges indicated that states on the average, are continuing to provide increased funds in absolute dollars for community colleges. It is true that the 1978 percentage growth rate was down slightly from the previous two years; the most important point about the appropriations figures, however, is that there has been substantial consistency over the last three years in appropriation growth rates. The percentages for 1976, 1977, and 1978 were 13.3, 14.0, and 12.2 percent respectively. What appears to be happening is that the growth of appropriations for community colleges is stabilizing. Whether this will continue to be the case is unknown. Nevertheless, this stabilizing phenomenon is indicative of the continuity of the community colleges' interaction with one aspect of their external environment.

The External Environment and State Legislation—Change

Much of the legislative activity affecting the relationship between community colleges and the external environment merely extended certain patterns previously established. There were indications of potential change in one area, though, and this should not go unnoticed.

A significant theme in each of the three previous annual reviews of state legislation was the continued expansion of state-level authority over community colleges, and the concurrent erosion of institutional autonomy and local control. The legislation reported in 1978 seems to indicate a slowdown in this trend if not a reversal. It will be recalled that there were only three "super" board proposals reported and all of these were defeated. In addition, there were only half as many state-level coordination proposals in 1978 as in 1977. It is true that the separate analysis of the "Administration" bills did indicate the continuing presence of substantial numbers of proposals that erode institutional autonomy. As pointed out earlier, however, major bills with the potential to substantially undermine institutional autonomy were conspicuous by their absence. This, of course, was a distinct change from previous years.

Certainly the above point should not be stressed too strongly. Legislatures are not reversing the previous trend toward increased state level control. Still, the issue is not receiving the attention it did in the recent past. This change does raise the question of whether state legislatures believe that state-level control has been extended to its feasible limits, or whether they in fact are beginning to question the efficacy of continuing to restrict local initiative. The answer to this question can only be provided by future annual reviews of state legislation.

The Internal Environment and State Legislation—Continuity

The issues that are deemed to be important at the local institutional level as well as who and how those issues are decided can be significantly affected by state legislative developments. Some of these matters have been dealt with in the past and continued to receive legislative attention in 1978. Two seem to be particularly noteworthy.

The first has to do with growth. The sixties and early seventies were years of massive growth for postsecondary education in general and community colleges in particular. It has been apparent during the last few years that growth is at an end. Some states in recent years even reported outright restrictions on growth. State legislation reported in 1978 continued in this vein as very few legislative attempts at new growth were reported and some restrictions were also noted. This continuing pattern makes it clear that many of the internal issues facing community colleges in the years ahead will not be focused on how to accommodate growth but how to effectively manage the human and financial resources currently available so as to improve the quality of the educational services offered.

The second sign of continuity relative to state legislation affecting the internal environment of community colleges has to do with the constituents who make up that internal environment—mainly personnel and students. Increasingly in recent years, institutional personnel and students have gained recognition as viable interest groups with legitimate decision-making roles. Often this has been accomplished with the assistance of state legislation. The amount of success of each of these groups has not been even nor should it be overemphasized, but it is clear that collective bargaining, due process regulations, student representation on boards, and student grievance procedures among other things are enabling these institutional interest groups to play a more important role than previously in institutional decision making. The 1978 legislation reported indicates that a considerable amount of legislative attention continues to be focused on these groups both directly and indirectly. Thus while previous state legislation was providing for a more complex internal decision-making environment, the 1978 legislation tends to continue to increase that compiexity by providing continued support for these internal constituent interest groups.

The Internal Environment and State Legislation—Change

The financing of community and junior colleges is a perennial issue facing community college educators. Although it was reported earlier that the growth rate of state appropriations for community and junior colleges appears to have stabilized, there was some evidence in the 1978 state legislation that financial arrangements and regulations relative to these institutions are in flux. There are essentially two indications of this development.

The first has to do with the analysis of the financial procedures bills reported earlier. One of the purposes of that analysis was to discern whether there are any patterns indicating that community colleges will be in an enhanced

financial position or whether they will be facing increased difficulties as a result of state legislative action. It will be recalled that the result of the 1978 analysis was that no clear pattern was established. There was some concern with more institutional flexibility, with more state control, with more public influence, with provision of more funds as well as less funds, and with simply routine financial operations. What this seems to indicate is that state legislatures in 1978 did not approach financial matters with a consistent policy framework in mind. Financial procedures as influenced by state legislatures thus appear to be experiencing a substantial amount of fluctuation with little indication of where this condition might ultimately lead.

The flux of the financial situation was made even more apparent by reports from a number of states of tax limitation as well as state and local spending limitation proposals. It is clear that this type of action received impetus in some states from the passage of Proposition 13 in California. Whether these developments will be substantively important is not known at this time. However, they do indicate clearly that public financing of education as well as other public services is undergoing a period of critical review that could eventually result in substantial revisions in public policy. One potential result of this development could be a more restricted base for community college education.

If the financial policies affecting community colleges undergo substantial change because of the developments noted above, a number of consequences might result. One which relates to the changing roles of the internal constituents noted earlier seems particularly important. If the financing of community colleges enters a period in which the major financial issue becomes how to reallocate resources internally because of changes in the financial base, then the increased strength of internal constituent groups might be felt in new ways. That is, not only will community college leaders be facing difficult decisions about reallocating resources, but they also will be confronted with a more complex decision-making environment because of the new roles played by faculty and students. The financial and governance changes brought about in recent years, in part by state legislation, will thus combine to create a new internal environment of extreme compexity that will demand much of community college leaders. Whether this type of internal change will occur is unknown at this time, but certainly 1978 state legislative developments seem to indicate that it is within the realm of possibility.

What can be concluded about state legislative activity affecting community and junior colleges in 1978 from the above discussion? A review of that legislation seems to indicate that 1978 was much like previous years in some respects while different in others. Some trends and patterns which community college leaders have become accustomed to continued while others changed and may no longer provide appropriate guidelines for action. This is not unusual. Public policy throughout the states tends to change incrementally. What is important is that community college leaders be aware of where there is stability and where there is change, in order that their decisions and actions be informed ones. It is hoped that this review of the 1978 legislation is one source of assistance in that ongoing endeavor.

V

THE FEDERAL GOVERNMENT'S INTEREST AND ROLE IN COMMUNITY COLLEGES: STATE DIRECTORS' OPINIONS

Each year as part of the survey of state legislation, an attempt is made to obtain the views of state directors on a particularly relevant issue concerning community colleges. For the 1978 survey, state directors were asked to complete a brief questionnaire designed to elicit their thoughts on the federal government's appropriate role and interest in community college education.

The impetus for this questionnaire came from a comment by Dr. Alfred Moyé, U. S. Deputy Commissioner of Higher and Continuing Education. Speaking before the 1978 spring meeting of the State Higher Education Officers' Association, Washington, D.C., which the senior author of this report attended, Dr. Moyé offered the opinion that the federal role in community colleges was unclear and cited this as a reason for the lack of funding for a number of federal programs of special bearing on community colleges like Title III and X of the Higher Education Amendments. Moreover, he suggested that such titles could well go unfunded until the federal role and interest in community colleges had been clarified.

A question of interest is whether Moyé's assessment is an accurate one. Is the federal role in community and junior colleges unclear? Can it be clarified if it is unclear? Who should be responsible for the clarification? In order to obtain data to provide an information base to answer these as well as other questions, state directors were asked to answer six brief questions. Thirty-six state directors completed and returned the questionnaires. The questions, state directors' responses, and some observations will be provided below. It should be noted that state directors' responses to some of the questions will total more than thirty-six because some provided more than one response to a question.

The Federal Government: A Legitimate Interest?

The first question put to state directors was whether they thought the federal government had a legitimate interest in community college education. State directors' responses were resoundingly affirmative. Twenty-nine agreed that the federal government has a legitimate interest, five acknowledged a federal interest but said it should be limited in some way, while only two said that federal government should not be involved in community college education. Clearly then, the question for state directors is not whether there should be a federal interest, but what form it should take and how extensive it should be.

The Current Federal Role: Unclear?

As was noted earlier, Deputy Commissioner Moyé's assessment was that

the federal government's role in community college education is unclear. Do state directors agree or disagree? To answer this question, state directors were asked to give their opinions on the clarity of the federal role.

State directors' responses seem to indicate that they are in general agreement with Moye's assessment. Twenty-one noted that they thought the federal role was unclear. Three others reported that the federal role has been confused in only the last few years as community colleges changed. The federal government, in their opinion, has not kept abreast of recent changes and this has resulted in confusion. This is not to say that all state directors think that the federal role is unclear. Although twelve agree that there is no nationwide consensus among educators and public leaders concerning the federal role, they believe the federal role is sufficiently clear to guide decisions on federal legislation and federal funding relative to community colleges.

Who Should Clarify the Federal Role?

If the federal role in community college education is unclear, who should be responsible for clarifying it? One thing is apparent from state directors' responses to this question: hardly any would restrict input to a few groups. This is indicated by the fact that only one state director stated that clarification was the responsibility of the AACJC in cooperation with U. S. Office of Education and only two would place the responsibility with the AACJC and the Association of Community College Trustees in cooperation with the U. S. Office of Education.

In general, state directors believe that substantial numbers of groups ought to have a voice in clarifying the federal role. This is indicated by the fact that fifteen directors noted that the AACJC, state community college leaders, and the U. S. Office of Education ought to contribute. Seventeen other state directors listed all or some of the following groups as important contributors: the U. S. Office of Education, AACJC, the Association of Community College Trustees, and community college representatives. Importantly, many of the state directors who stated a preference for broad input also want to include groups not directly involved in community college education. For example, fifteen directors suggested that non-community college groups such as the 1202 Commissioners, lay representatives, legislative representatives, and other postsecondary interests should be included. It is apparent then that state directors believe that the federal role in community colleges ought to be clarified by a broad-based forum and that those involved should not be restricted to self-serving community college interest groups.

Federal Financial Support of Community Colleges?

As was noted earlier, almost all state directors believe that the federal government has a legitimate interest in community colleges. The same can be said about state directors' opinions concerning federal funds for these institutions. Only four state directors stated that federal funds should not be provided

with two others noting that federal funds seem to be more trouble than they are worth because of the numerous regulations and mountains of paperwork they bring. However, twenty-eight of the respondents stated that federal funding ought to be commensurate with federal involvement. Five of these would restrict federal funding to such things as student access, vocational education or special program grants though.

What is the Federal Government's Role?

State directors' responses to earlier questions indicated that most believe the federal role is unclear. In order to see if a consensus existed among state directors concerning the federal role, they were asked to indicate what it should be. Their responses show that a general consensus does exist with regard to one issue but that opinions vary on other matters.

The one area of consensus concerns student access. Twenty-six state directors noted that the federal government should ensure that students in each state have equal opportunity for access to community college education. Federal involvement in other areas received less support from some state directors. Ten think there should be federal involvement to equalize the quality of community college education among the states; twelve would have federal input to coordinate community college educational resources in each state; nine support federal action to ensure that minimal physical plant and equipment needs are met; and five would have the federal government provide funds or technical assistance for special projects that would emphasize community colleges' unique function.

State Directors' Concerns

The questionnaire sent to state directors provided them with an opportunity to present their general thoughts on the federal role as well as to respond to specific questions. Nineteen of the respondents took advantage of the opportunity. State directors' opinions in this section dealt with a number of issues but three seemed to receive more attention than others. First, although most agreed that a federal role was warranted, a substantial number expressed apprehension about what federal involvement means. Specifically, the fear is that federal attention results in too much regulation and paperwork. Thus, any attempt to clarify the federal role will have to address this problem. Second, the diversity of community college education throughout the states is viewed positively. One general view expressed is the hope that a clarified federal role would not result in uniformity. Finally, the current status of federal involvement has produced confusion. The federal government's lack of understanding of community colleges' unique role has resulted in program duplication, the unnecessary expenditure of funds, and conflicts among community colleges, secondary schools, and other postsecondary institutions.

Conclusion

Responses by state directors to the federal role and interest questionnaires provide important information on the attitudes of one group of community college leaders toward this critical issue. In general, the responses tentatively support the following conclusions. First, state directors overwhelmingly agree that the federal government has a legitimate interest in community college education. Second, a majority of the state directors believe the federal role is unclear although a solid minority think that the role is clear enough for legislative and funding purposes. Third, most state directors believe that the federal government should ensure equal opportunity for student access to community college education. Beyond this, however, there is no general consensus among the state directors about what the appropriate federal role should be. Fourth, almost all state directors believe that federal financial support ought to be commensurate with federal involvement although much clarification is needed in this area. Finally, most state directors think that any attempt to clarify the federal role ought to include a variety of interests: national community college representatives, community college trustees, state community college leaders, state legislative and executive branch representatives, federal representatives, other postsecondary institutional representatives, and the public.

APPENDIX A

ABSTRACTS OF STATE LEGISLATION RELATING TO POSTSECONDARY EDUCATION

1978 State Legislative Sessions

Arrangement

The items of legislation listed here include both those enacted and those proposed. Within each group the order of items is numerical. Chapter or act numbers are by Senate Bill and House Bill numbers, depending on the information provided by the respondents.

ALABAMA (1)

Legislation Enacted

1-1 Appropriation Appropriates $40,000,859 for community and junior colleges and $32,975,521 for technical colleges.

1-2 Capital Funds Provides for the sale of state bonds in the amount of $222,000,000, the funds to be used for educational capital projects; community colleges will receive $21,624,880 of this amount and technical colleges will receive $12,615,120.

ALASKA (2).

No Legislative Report Received

ARIZONA (3)

Legislation Enacted

3-1 Financial Regulations (HB 2097) Permits state agencies to contract for outside professional services up to $5,000 without competitive bidding (previously $1,000).

3-2 Overtime Compensation (HB 2174) Provides that employees of the State may be eligible for overtime compensation when required to work in excess of the normal work week; overtime compensation shall be either at 1½ times the employee's regular salary rate or one hour of compensatory time off for each hour worked; also permits certain classes of employees to complete 40 hours of work in less than five days.

3-3 Open Meetings (HB 2366) Requires that meetings of all public bodies must be open to the public; permits public bodies to record their meetings in lieu of taking minutes while exempting advisory committees from recording their meetings or taking minutes; requires that at least 24 hours notice of a public meeting must be given; permits the recess and resumption of public meetings with less than 24 hours notice if public notice of the initial session is given and if prior to recessing, notice is given as to the time and place of the resumption of the meeting or the method by which notice will be given; also requires that any vote to hold an executive session from which the public is excluded must be held in public.

3-4 Retirement (HB 2412) Changes mandatory retirement from age 65 to 70 for all state employees; permits state employees to still retire at age 65 and employees who work beyond age 65 will continue to contribute to the retirement system with benefits based on their average salary at the time of retirement; provides provisions for working beyond age 70.

3-5 Residency (SB 1033) Provides that members of the armed forces and their spouses, stationed in the state pursuant to military orders are entitled to classification as in-state students; also provides additional criteria for obtaining in-state student status.

3-6 Finance (SB 1035) Increases the state capital outlay dollars for community college districts having under 5,000 full-time student equivalents (FTSE) from $135 per FTSE to $175 per FTSE; districts having over 5,000 FTSE remain at $135 per FTSE; increases the per diem limit for State Community College Board members from $500 to $700 per year; also permits the State Community College Board to enter into long-term lease or lease-purchase agreements for real property provided the agreement does not exceed ten years and the indebtedness does not exceed $250,000 in any one year and $1,000,000 in the aggregate.

3-7 Records Access (SB 1063) Provides that the right to inspect and review educational records and the release of or access to such records, other information or instructional materials is governed by federal law in The Family Educational Rights and Privacy Act.

3-8 Retirement (SB 1089) Permits state retirement plan members to retire without penalty at age 60 with 25 years of service or at age 62 with 10 years of service; increases the computation for past service from 1¼% a year to 1⅛% a year.

3-9 Construction (SB 1153) Changes the name of the planning section of the Finance Division of the Department of Administration to the Facilities Planning and Construction Section; provides additional duties for that Section including the power to review all state buildings; and the power to review state construction projects prior to submission to the Attorney General's Office.

3-10 Purchasing Review Board (SB 1296) Establishes a purchasing review board of not less than 15 members (1 member to represent a university or community college district purchasing office) to formulate minimum standards for the procurement of energy consumptive products by the state, as mandated by the Federal Energy Policy and Conservation Act of 1975; also requires that a newly created buildings standards advisory committee develop guidelines for thermal and lighting energy for all public buildings.

3-11 Appropriations Appropriates $38,352,500 for community colleges.

Legislation Introduced But Not Enacted

3-12 Construction Regulations (HB 2178) To provide that a community college district governing board may not approve construction plans unless the architect or engineer signs an affidavit stating that the plan complies with all requirements proscribed by law for public buildings.

3-13 Facility Regulations (HB 2183) To provide that all public buildings with more than one floor level must have an elevator.

3-14 Senior Citizen Program (HB 2191) To appropriate $100,000 for the purpose of establishing and maintaining noncredit courses for senior citizens; tuition and fees would not be charged senior citizens enrolled in the specific courses.

3-15 Budget Restrictions (HB 2261) To require community college districts to notify county boards of supervisors of compliance with legal requirements for exceeding budget or tax levy of previous year.

3-16 Collective Bargaining (SB 1079) To provide for professional school employee negotiations (including community colleges). No other information available.

3-17 Student Incentive Grant Program (SB 1133) To appropriate $150,000 to the Arizona Board of Regents on behalf of the "1202" Commission for matching federal funds for scholarships for needy students.

3-18 Diploma Mill Bill (SB 1156) To create a State Board on Higher Education Institution Authorization. Duties to include but not to be limited to the following: consider and pass upon applications for licensing higher education institutions and agents and require security bonds or cash deposits of not less than $15,000; establish minimum criteria and standards for licensing and regulating higher education institutions; investigate, hold hearings, and decide upon complaints.

3-19 Collective Bargaining (SB 1189) To provide for collective bargaining by public officers and employees including community college employees.

3-20 Capital Funds (SB 1325) To appropriate $500,000 in capital outlay funds for construction of a community college campus in South Phoenix.

3-21 Facility Regulations (SB 1362) To require that all public buildings with more than one floor level have an elevator.

3-22 Faculty Dismissal (SB 1426) Community college faculty dismissal bill; to provide for due process procedures.

ARKANSAS (4)

No Legislative Session in 1978

CALIFORNIA (5)

Legislation Enacted

5-1 Financial Procedures (AB 7) Alters the method of taxing business inventories and the method of state reimbursement to local agencies due to tax loss from business inventory exemptions.

5-2 Low-income Students (AB 507) Requires the Student Aid Commission to establish a project grant advisory committee to apportion funds for the support of pilot projects designed to increase the accessibility of postsecondary educational opportunities to low-income high school students and assist low-income community college students to transfer to four-year institutions; each project shall be proposed and operated interinstitutionally, involving at least one community college and two other educational agencies; appropriates $30,700 for planning grants and pilot projects.

5-3 Unemployment Insurance (AB 644) Implements the federal law which makes unemployment insurance mandatory for all state employees; covers all district employees, both classified and certificated.

5-4 Community Colleges Funds (AB 869) Under current law Community Colleges must expend 50% of their current expense of education on the salaries of classroom instructors. This bill requires a college district to distinguish salaries of administrators, supervisors, and administrative costs other than salaries; also requires a copy of any request for exemption to be filed with the exclusive representative of the certificated employees of the district, which may transmit to the Board of Governors a statement in opposition to the exemption.

5-5 Collective Bargaining (AB 1091) Extends collective bargaining to the employees of the University of California and California State University and Colleges.

5-6 Discrimination (AB 1223) Prohibits state agencies including postsecondary institutions from using any funds for institutional or individual participation in organizations that practice discrimination.

5-7 Handicapped Access (AB 1696) Requires the Department of General Services to approve plans and specifications for elementary, secondary, and community colleges to ensure compliance with handicapped access regulations.

5-8 Investments (AB 1904) Permits direct investment of surplus funds in either commercial paper or certificates of deposit by a local agency having a population of 250,000 or more.

5-9 Summer School (AB 1905) Deletes references to Community College summer schools and instead authorizes districts to maintain intersession schools between regular semesters or quarters; such schools would be subject to the approval of the Board of Governors.

5-10 Insurance (AB 1906) Authorizes county school superintendents to participate in or administer insurance or self-insurance programs for one or more school districts or community college districts or any combination thereof.

5-11 Attendance Computation (AB 1946) Provides for the crediting of attendance of pupils at Regional Occupational Centers and Programs to their district of residence and not the district of attendance; residence districts will have to reimburse the centers or programs the total revenue limit amount per unit of average daily attendance up to the actual cost of the program.

5-12 Discrimination (AB 1960) Prohibits employers from discriminating against a woman in terms of employment or promotion because she is pregnant; provides that pregnancy be treated as any other temporary disability and, therefore, like benefits should be awarded.

5-13 Appointment of Trustees (AB 1965) Removes the duty of a school or community college governing board to appoint a person to the board when only one person has been nominated, and provides instead that such person, if qualified, shall take office.

5-14 Community College Tuition (AB 1987) Provides that if 50% or more of the enrollment in a police or fire training course consists of residents from other Community College districts, all students may be, rather shall be, deemed residents of the Community College district offering the course; the decision remains with the district offering the course.

5-15 Occupational Information (AB 2020) Provides that a state Occupational Information Coordinating Committee including a community college representative develop and implement the California Occupational Information System for the production of occupational planning, administration and guidance information for use by educators; requires community colleges and others to report to the legislature on the progress made and how the information is used.

5-16 Barber Courses (AB 2051) Eliminates the course description and time limitations for postgraduate courses for registered apprentices or barbers; also provides that such persons may attend a postgraduate course up to 40 hours per week.

5-17 Medical Assistance (AB 2097) Exempts any physician who renders voluntary emergency medical assistance to a participant in a high school or community college athletic event from liability for any civil damages as a result of any acts or omissions.

5-18 School Governing Boards (AB 2151) Allows the Long Beach District to determine that a separate community college governing board be established and requires members of the common board to elect which board to serve upon.

5-19 Capital Outlay (AB 2158) Provides for additional funding or relief to community college districts for certain state approved capital outlay projects which are currently under contract; also permits projects which involve state funding, but which are not under contract, to have until October 1, 1979 to obtain additional funding; appropriates $4,959,000 from the General Fund to the Board of Governors of the California Community Colleges.

5-20 Elections (AB 2224) Changes the date of school and community college district governing board elections to the first Tuesday after the first Monday in November of each odd numbered year.

5-21 Community College Attendance (AB 2229) Allows students of any grade to be recommended for special student status at community college or vocational education classes and removes the restriction on the percentages of students who may be recommended for community college classes; such admissions are subject to the adoption of admission rules by local school and community college districts, the school principal's recommendation, acceptance by the college president, and parental consent; also provides that ADA shall not be attributable to the community college for students K-10 but rather school districts shall contract with community colleges for services appropriate for these students.

5-22 Elections (AB 2350) Makes technical changes in the provisions of the Education Code dealing with voters and electors which duplicate those in the Elections Code; also provides that absentee ballots, voters, and election procedures shall be governed by those provisions applicable to statewide elections.

5-23 Employees (AB 2364) Permits the issuance of a public school or community college credential to, the employment of, and/or retention of an employee previously convicted of a narcotics offense if that person has been rehabilitated for five years.

5-24 Governing Boards (AB 2368) Specifies that a governing board member of a school or community college district who has filed a resignation with a deferred effective date has the right to exercise all powers granted to a member of a governing board, except the right to vote on the provisional appointment of his or her successor.

5-25 Administrative Space (AB 2393) Exempts from the Field Act requirements any building owned and occupied in part by another governmental agency, which is leased to a school or community college district for use as district administrative offices.

5-26 Reorganized Education Code (AB 2518) Makes technical corrections to the Reorganized Education Code (No other information available.)

5-27 Mandatory Retirement (AB 2545) Provides that no school member of the public employees retirement System or local member employed by a school or community college district be subject to any retirement age; also deletes the requirement that their competency be certified.

5-28 Nursing (AB 2567) Restricts the required training programs in long-term health care facilities to skilled nursing in intermediate care facilities; revises the precertification training program requirements to permit the 50 classroom hours of training to be conducted within such a facility or in an educational institution; also requires that in such a training program credit be given for the training received in an approved precertification training program adopted by another skilled nursing or intermediate care facility.

5-29 Student Travel Expenses (AB 2593) Authorizes the Board of Governors to allow actual and necessary traveling expenses to community college students who serve on specified groups and who attend specified meetings; prohibits the Board from allowing such travel expenses to student lobbyists or for travel out of the state; appropriates $7,500 to the Board for fiscal year 1979-80.

5-30 Cal Grants (AB 2621) Requires the Student Aid Commission to include recommended annual adjustments to Cal Grant awards in the Budget Bill, such adjustments to be based upon specified factors.

5-31 Recycling of Paper (AB 2636) Encourages a paper recycling program for school districts, community college districts, and the California State University and Colleges; requires such entities to purchase recycled paper if they can do so for not more than 5% more than the cost of comparable unrecycled paper.

5-32 Displaced Homemakers (AB 2640) States that the primary intention of the Los Angeles displaced homemakers program is to provide job services rather than alcohol and drug addiction programs.

5-33 Handicapped Student Programs (AB 2670) Requires that there be a 6% annual increase in the specified amount of $12.19 for handicapped programs beginning with the 1979-80 fiscal year; authorizes the Chancellor to allocate an increased amount to provide for excess costs of educational services for severely disabled students; and requires that the Chancellor recommend to the Legislature by October 1, 1979 if the state should reimburse for those costs.

5-34 Dr. Martin Luther King, Jr. (AB 2684) Directs the Governor to proclaim January 15 as Dr. Martin Luther King, Jr. Day.

5-35 Election (AB 2803) Prohibits a school or community college governing board member from deferring the effective date of his resignation for more than 30 days after the resignation is filed; also provides for an election if the governing board fails to make a provisional appointment within 30 days.

5-36 Course Approval Fee (AB 2907) Permits the Board of Vocational Nurse and Psychiatric Technician Examiners to collect a fee not to exceed $50 from any organization requesting course approval related to continuing education requirements for vocational nurses.

5-37 Timber Taxation (AB 2955) Prescribes school and community college districts' apportionments respecting timber yield taxes and permits specified allocations from the State Timber Tax Reserve Fund.

5-38 Financial Aid (AB 3038) Increases the total number of Cal Grant awards for the 1978-79 fiscal year by 800 to 23,862 and increases to 23,062 new awards each year thereafter; also increases the number of Cal Grant B awards for tuition, student fees, and subsistence to 7,575 for the 1978-79 fiscal year and to 6,825awards for each fiscal year thereafter.

5-39 California Postsecondary Education (AB 3075) Reduces the membership of the Postsecondary Education Commission by reducing the number of public representatives and the number of representatives from each segment of higher education, and by eliminating the representative of the California Advisory Council on Vocational Education and Technical Training; also prohibits the appointment of any person who is employed by any public or private postsecondary institution.

5-40 State Teachers Retirement System (AB 3140) Makes technical changes in the State Teachers' Retirement System relative to disability allowances payable on account of full-time students.

5-41 Campaign Contributions (AB 3155) Raises the threshold reporting amounts concerning campaign contributions statements from $50 to $100.

5-42 Leases (AB 3292) Authorizes community college governing boards to lease unneeded district real estate for purposes related to the 1984 Olympic Games without following the normal lease restriction guidelines.

5-43 Destruction of Supporting Documents (AB 3306) Permits the county auditor who is examining disbursement orders and requisitions to authorize the destruction of any bill or supporting document received from a school or community college district if specified conditions are met regarding the reproduction of any such bills or documents.

5-44 Elections (AB 3313) Requires that existing provisions of the Elections Code apply to recounting of ballots in all elections, including community college elections.

5-45 Department Heads (AB 3341) Amends the Education Code so that a school or community college certificated employee serving as a department head, rather than in administrative or supervisory position, will be precluded from acquiring tenure in such position; this is applicable only in those districts governed by the Charter of a City, or city and county.

5-46 Retirement System (AB 3402) Authorizes the State Teachers' Retirement System to operate a tax-sheltered annuity program for its members; establishes the Teacher Tax-Sheltered Annuity Fund in the State Treasury and continuously appropriates moneys in the fund to the board for disbursement for the tax-sheltered annuity program.

5-47 Student Grants (AB 3528) Provides that any applicant 30 years of age or older will be presumed not to be supported by his or her parents when being considered for need based student aid.

5-48 Capital Funds (AB 3642) Requires a four-fifths instead of two-thirds vote by the governing body of a local agency to approve the expenditure of capital outlay funds for some other purpose.

5-49 Retirement (AB 3646) Changes the mandatory retirement age under state law for state miscellaneous members, school members, and local miscellaneous members to age 70 and gives certain local and state members the right to continue in employment upon certification of eligibility after age 70; gives the appointing power the authority to determine eligibility for continuance of employment and requires an appeal to the entity or its designated representative when eligibility is denied.

5-50 Liability (AB 3685) Confers immunity upon any physician who renders voluntary emergency medical care to a participant in school or community college athletic event from damages resulting from related acts or omissions.

5-51 Liability (AB 3785) Authorizes the governing board of any community college district to require any group or organization to obtain a certificate of insurance from a liability insurance carrier for a minimum coverage of $300,000 and to submit such certificate to the governing board for approval prior to using any district property for the purposes of athletic activity.

5-52 Real Estabe License Preparation (AB 3803) Requires the Real Estate Commissioner, in cooperation with the Superintendent of Public Instruction, to adopt minimum criteria to apply to the approval of each course, or program of instruction, training, or study purporting, for compensation, to prepare an applicant for any real estate license examination and which is offered by any person.

5-53 Medical Insurance (AB 3808) Authorizes community college districts to require community college students to secure medical insurance coverage to waive specified liability claims as prerequisite to enrollment and participation in courses involving hazardous activities.

5-54 Degrees and Diplomas (AB 3821) Makes it a misdemeanor for any person to prepare, manufacture, print for a fee or other compensation any document purporting to be a degree or diploma without written authorization from the governing board of the school district, private school, public or private college and other institutions of higher learning.

5-55 Vocational Training (AJR 32) Memorializes the President and Congress to provide funding for a loan program for financially destitute individuals who could effectively upgrade their employment skills by attending vocational school and trade school.

5-56 Cosmetology Schools (ACR 45) Requests the legislature to conduct a study of cosmetology schools and to have the appropriate committee report their recommendations.

5-57 Admission Policies (ACR 28) Requests the California State University and Colleges to adopt an admission policy which generally permits 35% of high school graduates to be admitted; also requests the University of California to adopt a similar admission policy which permits 15% of such students to be admitted.

5-58 Postsecondary Education (ACR 43) Requests the UC Regents, CSUC Trustees, and the Board of Governors of the California Community Colleges to develop and implement plans which further the admission, preparation and training of persons seeking careers in the medical and legal professions.

5-59 Underrepresented Groups (ACR 115) Requests the Department of Education to assess counselling services to public schools designed to encourage underrepresented groups to enroll in postsecondary educational institutions.

5-60 State and Local Government Bail Out (SB 154) Provides for the allocation of state surplus funds to state and local agencies for the 1978-79 fiscal year; for community colleges establishes an approximate 85% funding level and provides a formula for apportionment using district reserves and sets up a $15 million special needs fund for allocation by the Chancellor; also limits the types of noncredit courses which can receive state apportionments for the 1978-79 fiscal year.

5-61 Planning Studies (SB 295) Provides that the county school superintendent may join other school or community college district governing boards in conducting studies related to the future management needs and financial support of the schools and community colleges within the county.

5-62 Vocational Nursing (SB 672) Changes the number and qualifications of members of the Board of Vocational Nurse and Psychiatric Technician Examiners by providing that a licensed vocational nurse teach or administrator with five years experience be included.

5-63 Radiologic Technology (SB 697) Deletes the provisions that provide that certifications of persons in radiologic technology and approval of schools for radiologic technologists have no force or effect on and after January 1, 1978.

5-64 ADA Computation (SB 941) Specifies that attendance in transferable courses or programs of independent study qualify to be included in the average daily attendance; also prescribes a method of computing the average daily attendance in courses which do not have a regularly scheduled number of weekly contact hours.

5-65 New Program Reporting (SB 1082) Requires a state agency to report to the legislature within 6 months after the operative date of a statute establishing a new program or requiring action to be administered by such agency with respect to the agency's implementation of the new program or action; specifies that the cost incurred by the state agencies in complying with said provisions shall be paid for from their normal operating budgets.

5-66 Enrollment Preference (SB 1126) Provides that community colleges may give a limited enrollment preference to employed law enforcement trainees in peace officer training courses under specified conditions.

5-67 Per Diem (SB 1246) Provides that each appointed member of a postsecondary governing board receive a sum of $50 for each day he or she is attending to official business, in addition to necessary traveling expenses.

5-68 Elections (SB 1321) Prohibits a ballot argument or a rebuttle argument from being accepted if the text of the argument includes the name of a person, as defined, other than the author, who is represented as being for or against the measure, unless the argument is accompanied by a signed consent of the person whose name is being used.

5-69 Family Physician Training Program (SB 1370) Appropriates $2,935,500 for fiscal years 1979-1983 to support the programs in medical schools for primary care physicians assistants who actually are in a cooperative Community College Medical School program.

5-70 Tear Gas Training (SB 1391) Provides that the Department of Justice must approve institutions offering training in tear gas use; also requires the Department of Justice to issue a certificate of completion to any person who successfully completes such training.

5-71 Employees (SB 1491) Permits a district to deduct from the salary otherwise payable to a classified employee on sick leave an amount which is payable to the employee in lieu of salary under a policy of insurance purchased by the district; these provisions will not be applicable to employees of districts covered by a collective bargaining agreement under certain circumstances.

5-72 TB Tests (SB 1485) Requires an examination for tuberculosis for drivers involved in transporting pupils under contract with schools and community colleges.

5-73 Claims for Reimbursement (SB 1490) Revises procedures relating to claims that may be made to the State Controller for reimbursement to local entities for costs mandated by the state; provides that if a local agency does not submit initial fiscal year claim within the 45-day period, it may submit its claim for reimbursement concurrent with subsequent fiscal year claims without any imposition of a late penalty; also provides that if a local agency or school district submits an otherwise valid claim after the October 31 deadline, the Controller shall pay 80% of the amount which would have been allowed.

5-74 Audits (SB 1511) Requires school and community college district governing boards to review the annual audit at a regularly scheduled public meeting and to place the review on the agenda for such meeting.

5-75 Board Meetings (SB 1512) Requires governing boards of community colleges and school districts to adopt reasonable regulations to allow members of the public to place matters directly related to district business on the governing board's agenda.

5-76 Reports (SB 1540) Provides that the Board of Governors of Community Colleges submit a descriptive report, annually to the legislature on vocational education and technical training programs, including regional occupational centers and programs.

5-77 Affirmative Action (SB 1620) Requires Community College districts to establish affirmative action employment plans and requires the Board of Governors to adopt rules and regulations in this regard.

5-78 Budget Deadlines (SB 1787) Extends various deadlines for action relating to the adoption of budgets for school districts, community college districts, and county boards of education by one month.

5-79 Health Plans (SB 1589) Prohibits a school or community college district from approval or renewal of a contract with a private health plan or for health or welfare benefits with any program in which an administrative employee or an employee organization has a direct financial interest.

5-80 State Surplus Funds (SB 1776) Makes student loans under the Guaranteed Student Loan Program eligible securities for investment of state surplus funds by the State Treasurer.

5-81 Average Daily Attendance (SB 1893) Makes technical changes to the formula for computation of average daily attendance for the purpose of reporting to the Chancellor's Office; also extends the provisions of law authorizing community college districts to receive apportionments for attendance in short term classes past July 1, 1978.

5-82 Transfers of Funds (SB 1991) Deletes the requirement that money transferred from one account to another by school or community college governing boards be repaid not more than 120 calendar days after the transfer and instead, requires that the amount transferred be repaid within the same year or in the following fiscal year if the transfer takes place within the final 120 calendar days of a fiscal year.

5-83 Standardized Tests (SB 2005) Requires sponsors of standardized tests to make various reports to the California Postsecondary Education Commission regarding the administration and use of standardized tests to California inhabitants; requires test sponsors to file copies of test questions and answers with the commission; and requires test sponsors to notify California test subjects regarding the subject matter of the test, the manner in which the test is scored, and the manner in which the test scores will be recorded.

5-84 Tax Exemptions (SB 2006) Extends the exemption from property taxation to property used by community colleges, state colleges and universities, and leased property used exclusively for educational purposes by a nonprofit institution of higher education; also requires a lessor to reduce lease rental payments on property which receives the benefit of an exemption.

5-85 Cosmetology (SB 2009) Provides that no programs in cosmetology shall be initiated or expanded by any public educational body unless a determination is made that a definite need exists that existing private institutions are not meeting.

5-86 Student Health Fees (SB 2088) Requires that community college health fees be deposited in a special health fee funds; also specifies that authorized expenditures of the health fees do not include certain expenditures for the support of community college athletic programs or any other expense that is not available to all students.

5-87 Governing Board (SB 2100) Authorizes the governing board of the Santa Monica Unified School District to have placed on the April, 1979, ballot the question of whether a new separate community college district governing board shall be established.

5-88 Retirement Benefits (SB 2135) Amends current provisions to allow community college administrators to reduce their workload from full-time to part-time under certain circumstances without loss of retirement benefits as long as retirement contributions continue to be made, unless the administrators receive a higher salary than the maximum payable to a dean of the college.

5-89 Regional Occupational Centers/Programs (SB 2196) Authorizes regional occupational centers and programs to jointly establish, operate, and share the enrollments and costs of vocational education instruction with adult education programs offered by school districts serving the same geographic area; also specifies that such programs shall be funded at the adult foundation program level.

5-90 Budget Deadlines (SB 2199) Extends the deadlines requiring certain budgetary actions by educational agencies by one month for the 1978-79 fiscal year.

5-91 Curriculum (SB 2727) Requires that the role and contribution of Pacific Island people in the development of California and the U.S. be included in courses of instruction in grades 1 through 12 and at the community college level.

5-92 Worktime Alternatives (SCR 94) Urges local agencies to consider temporary worktime alternatives to massive layoffs that may be necessitated as a result of Proposition 13; also urges the State Employment Development Department to establish a technical assistance office to assist agencies to explore and develop reduced worktime alternatives.

5-93 Tax Limitation (SCA 67) Changes a portion of Proposition 13 by providing that a 2/3 vote of those voting is required to impose a special tax, instead of a 2/3 vote of the qualified electors within a district.

Legislation Introduced But Not Enacted

5-94 Student Aid (AB 683) Would provide that no fee may be charged for determining a Cal Grant applicant's financial need whose annual family income is less than $10,000; and would appropriate $120,000 to reimburse Student Aid Commission for processing applications for which no fee may be charged.

5-95 Furloughs (AB 1018) Would permit certain certificated employees of school and community college districts to take a furlough of up to 3 years during which time the employee may affect other employment.

5-96 Housing Discrimination (AB 1032) Would extend the provisions of the Rumford Fair Housing Act to prohibit discrimination in housing accommodations because a person is a student.

5-97 Mandatory Student Body Fees (AB 1606) Would have permitted a community college student body association to impose a mandatory student fee not to exceed $10 per academic year if approved by a majority of the students.

5-98 State Board of Vocational Education (AB 2242) Would create a State Board of Vocational Education to disburse federal vocational educational funds, develop annual and five-year state plans, coordinate support activities, provide leadership to persons involved in vocational education, and serve as a clearinghouse for information regarding vocational education activities.

5-99 Certificated Employees Retirement (AB 2327) Would repeal that section of the Education Code relating to termination of employee classification at age 65 and thereby address the conflict in statute in existence since mandatory retirement was abolished in 1977.

5-100 State Agency Meetings (AB 2328) Would require state agencies and advisory bodies of state agencies to give notice to accredited representatives of the Capitol Correspondents Association at least 14 days prior to a meeting at which a matter of statewide concern is the subject.

5-101 Employees Lay Off Procedures (AB 2409) Would require the district superintendent to give written notice to the employee and the governing board of a recommendation to terminate the employee before the board has acted on the recommendation; also would permit the employee to request a hearing, to determine whether there was sufficient evidence of lack of work or funds to necessitate the layoff and whether the order of layoff conformed to law.

5-102 Public Records Disclosure (AB 2662) Would add to the Public Records Act a statement that all analysis of legislative bills or measures prepared by a state or local agency are public records subject to disclosure.

5-103 Records (AB 2740) Would amend the employee record access law by defining what is meant by derogatory material and would eliminate the requirement that an employee's request to inspect his or her personnel file be made at a time when the employee is not actually required to render services to the employing district.

5-104 Agency Shop (AB 2744) Would allow a local public employer and an employee organization recognized as the exclusive or majority bargaining representative to negotiate an agency shop agreement, as defined, thereby removing the right of the employees to refuse to participate.

5-105 Handicapped (AB 2772) Would provide that there be no limit on the hours of attendance of handicapped adults in special classes for them; would permit districts to provide classes to meet the vocational needs of handicapped adults; would define "adult" as those people over 18 for handicapped program purposes; would require that community colleges use funds generated by special classes for handicapped adults only for handicapped programs.

5-106 Employee Discipline (AB 2764) Would require that disciplinary action not be taken against a classified employee unless there has been a hearing sustaining the charges against the employee; would also require that in a hearing held subsequent to emergency disciplinary action in which the personnel commission sustains the charge against the employee, it shall not impose disciplinary sanctions more severe than those imposed by the governing board, though it may modify the governing board's recommendation.

5-107 Certificated Employees (AB 2873) Would require school or community college districts to pay survivors benefits to spouses of district certificated employees whose death is determined to be homicide.

5-108 Temporary Employees (AB 2903) Would require governing boards to inform a temporary employee who is replacing an employee on leave of the name, position, and length of leave of the regular employee.

5-109 Special Programs (AB 2944) Would require that the Department of Correction, Mental Health, and Youth Authority utilize their own personnel in providing educational programs for their clients instead of other educational agencies unless the program is of a special nature.

5-110 Vocational Education (AB 3219) Would establish one director of vocational education in the Department of Education and one under the Community College Board of Governors; would require school and community college districts to appoint a vocational education advisory committee; would provide for a specific allocation of federal vocational education funds between the Department of Education and the Community Colleges; would require the two segments to coordinate their vocational education activities; would repeal provisions relating to certain programs; would require each segment to develop certain pilot programs; and would appropriate funds for pilot program.

5-111 Governing Board Compensation (AB 3354) Would delete current provisions specifying maximum amounts per meeting actually attended by board members and would, instead, authorize the payment of compensation to members who actually attend all meetings held in any month at various maximum amounts per month, with provisions for a pro rata share of the maximum amount allowed for members not attending meetings.

5-112 Academic Discipline (AB 3519) Would expressly require the Regents of the University of California, the Trustees of the California State University and Colleges, and the Board of Governors of the California Community Colleges to adopt specific rules and regulations governing due process procedures to be followed before the dismissal of, or imposition of academic discipline upon any student.

5-113 Energy Conservation (AB 3659) Would create the Energy Conservation Aid Fund and appropriate $20,000,000 to assist local public agencies improve the efficiency of their energy use systems.

5-114 Crude Oil Pricing (AJR 54) Would request the President to take various actions relative to the pricing of crude oil produced in the state; such actions would result in additional revenues for the Capital Outlay Fund for Public Higher Education (COFPHE).

5-115 Veterans Aid (AJR 82) Would memoralize the President and Congress to enact legislation extending the termination date of the Federal Veterans Cost of Instruction Payment Program in California.

5-116 Revenues and Expenditures (SB 12) Would establish state expenditure limits for the 1979-80 fiscal year and every year thereafter, based on expenditures for the 1978-79 fiscal year as increased annually by the percentage change in California personal income.

5-117 Environmental Impact (SB 351) Would permit an agency to make a finding that specific economic, social or other benefits outweight the negative environmental consequences of a project and that alternative projects are unfeasible.

5-118 Retirement (SB 351) Would prescribe community college district contributions to the Teacher's Retirement Fund.

5-119 Training Program (SB 680) Would establish a 1-year pilot work training project for employable recipients under the Aid to Families with Dependent Children Program; the training would be temporary employment in state or local offices (including community colleges) needing employees other than what they are budgeted for.

5-120 Expenditures of Funds (SB 1337) Would reduce from two years to one the period for disbursement in liquidation of encumbrances following the last day an appropriation is available for encumbrance; would require every appropriation to be expended during the period for which it is available for encumbrance unless circumstances beyond the control of the agency prevent it.

5-121 Unemployment Insurance (SB 1400) Would appropriate $58,500,000 for disbursement to local agencies during the 1977-78, 1978-79 fiscal years to reimburse them for 75 percent of costs incurred in financing unemployment compensation insurance for employees of local public agencies.

5-122 Use Tax Exemptions (SB 1401) Would expand the exemption from the use tax from only dealer loaned motor vehicles for driver education to any tangible personal property used in any educational program conducted by postsecondary institutions.

5-123 School Holiday (SB 1489) Would declare January 15, Martin Luther King, Jr.'s birthday as a school holiday and require of educational institutions suitable exercises commemorating the civil rights movement.

5-124 Course Review (SB 1784) Would provide for RAVE Council review of specified community college credit courses.

5-125 Leave of Absence (SB 1785) Would provide for 90 days leave of absence for public employees for the purpose of preparing for the Olympic games, Pan-American Games, or other international competition; would also continuously appropriate a sum not to exceed $2 million dollars per year to reimburse agencies for the actual cost of employing substitute employees.

5-126 Peace Officers Training (SB 1808) Would make clarifying changes in existing procedures and policies relating to Peace Officer Training.

5-127 Layoffs (SB 2057) Would delete provisions for the drawing of lots for layoff purposes and instead, would require that the order of layoff and reemployment between employees having the same employment date be determined by the community college district governing board solely on the basis of the needs of the district and its students.

5-128 Vocational Education (SB 2183) Would require that a school or community college governing board conduct a job market survey prior to establishing a vocational education program for adults.

5-129 Revenues and Appropriations (SCA 42) Would prohibit the annual appropriations of any governmental entity from exceeding the total appropriations of such entity of government for the prior year by more than the annual percentage change in the costs of living and population; would also require the legislature to provide a method of determining the change in the cost of living and for estimating the actual population change for the state and each local government.

COLORADO (6)

Legislation Enacted

6-1 Community Colleges as State Agencies (HB 1015) Makes technical changes in the Education Statutes to add community colleges to the list of higher educational institutions that are considered a state agency; also substitutes the Colorado Commission on Higher Education for the Department of Education as the administering body of the statutes.

6-2 Advisory Council Membership (HB 1016) Makes the governor rather than the board responsible for appointing the state advisory council to the State Board for Community Colleges and Occupational Education.

6-3 Board Membership (HB 1017) Requires state senate confirmation of gubernatorial appointments to the State Board for Community Colleges and Occupational Education, removes the power of the governor to appoint the board's chairman and vice-chairman; and permits rather than requires the board to select an executive secretary.

6-4 Funding Formula (HB 1022) Permits the General Assembly to increase by seven percent annually the amount of the direct state grant per FTE to the four local community college districts. The state grant level now is $700 per FTE.

6-5 Summer Sessions (SB 26) Directs the Colorado Commission on Higher Education to propose an enrollment incentive program for summer sessions at state supported colleges by developing an adjusted tuition rate. Proposal must be submitted to the legislature for approval.

6-6 Name Change (SB 73) Changes the name of El Paso Community College to Pikes Peak Community College.

Legislation Introduced But Not Enacted

6-7 Super Board (SB 62) To abolish "intermediate governing boards" and make the Colorado Commission on Higher Education more like a "super" board. The duties and responsibilities of the new revised board, to be called the Colorado Commission on Postsecondary Education, would include but not be limited to the following: review appropriation requests from state institutions and make recommendations to the legislature; prescribe financial reporting systems; review proposed capital construction projects; review and approve new programs; specify specific role of each institution; determine if there is any unnecessary program duplication; develop a comprehensive master plan; and review and approve tuition revision proposals.

6-8 Board Reorganization (SB 110) To abolish the State Board for Community Colleges and Occupational Education and replace it with two boards – one for community colleges and one for vocational education.

CONNECTICUT (7)

Legislation Enacted

7-1 Interest Derived from Investments (HB 5117) Provides that the investment or reinvestment of monies of the Auxillary Services Funds and the Educational Extension Funds of Postsecondary Educational Institutions be credited to the fund which earned the interest, not the general fund. The two funds in question consist almost entirely of student fees.

7-2 Licensure Regulations (HB 5673) Provides guidelines and regulations concerning the licensure of occupational therapists and occupational therapy assistants.

7-3 Student Representatives (HB 5860) Provides that the student members who serve on the State Board of Higher Education shall be elected annually by their respective student bodies rather than being appointed by the institutional governing boards.

7-4 Discrimination (SB 88) Adds mental retardation to the list of things for which people may not be discriminated against in the delivery of state services, including community college educational services.

7-5 Tuition Waiver (SB 110) Extends the existing tuition waiver for Vietnam era veterans attending public postsecondary institutions to include all veterans who serve in time of war.

7-6 Higher Education Reorganization (SB 111) Extends the deadline from January 1, 1979 to September 1, 1979, on which the Board of Higher Education must submit a proposal and recommendation to the general assembly on the further reorganization of the higher education structure.

7-7 Annuities (SB 113) Permits postsecondary institutions to purchase group retirement annuity contracts for their employees if the employees agree to the arrangement.

7-8 Student Liability (SB 5465) Provides students in clinical experience field programs with legal protection from any losses attributible to their actions in the course of their field placement activities. Students will only be covered if the field work is part of a supervised program which constitutes all or part of a course of instruction and if the course is a requirement for a degree.

7-9 Appropriation Appropriates $27,163,819 for Community Colleges.

7-10 Capital Funds Authorizes the sale of state bonds in the amount of $12,040,000 to finance capital construction projects at three community colleges.

Legislation Introduced But Not Enacted

7-11 State Fund Use (SB 621) To require that any funds initially obtained from the state general fund which are used to support programs primarily supported by outside sources must be returned to the general fund.

7-12 Student Aid (SB 5472) To remove the requirement that students can be initially eligible for the State Scholarship Program only prior to enrolling for the first time in any institution of higher education. The current requirement effectively excludes many community college students from participation in the program.

7-13 Summer Session Funding ISB 5833) To provide that community college summer sessions be financed by state general fund monies. Currently, summer sessions are self-supporting.

7-14 Student Activity Funds (SB 5834) To reduce from 40 percent to 25 percent the number of students who must participate in a referendum to determine whether a student government should be vested with complete control over student activity funds without being subject to any supervision by the administrative head of the institution.

7-15 Gifts (SB 6002) To establish procedures for acceptance by the state when an individual wishes to donate a gift of land or personal property.

DELAWARE (8)

Legislation Enacted

8-1 Appropriations General appropriations bill; provides $14,736,500 for Delaware Technical Community College.

8-2 Capital Funds General capital appropriations bill; provides $332,000 for renovation and equipment for Delaware Technical College; no funds for new construction.

8-3 Capital Funds Provides $58,000 to construct a water line from the city of Dover to the Dover campus of the Delaware Technical Community College.

Legislation Introduced But Not Enacted

8-4 Super Board Would have created a Super Board, the Board of Higher Education, over the three post-secondary segments—Delaware Technical Community College, Delaware State College, and the University of Delaware.

FLORIDA (9)

Legislation Enacted

9-1 Volunteers (HB 5) Authorizes state agencies to recruit, train, and accept the services of volunteers to assist in programs administered by the agency; provides regulations concerning volunteers.

9-2 Professional Services (HB 18) Requires a written agreement for the purchase of any professional or technical services by a state agency.

9-3 Training Programs (HB 251) Provides for agreements between school and community college boards relative to training programs authorized under the industry services training program; permits community colleges to make facilities available for such purposes; permits the payment of salaries for industry services training program faculty without regard to college salary schedule; provides that all expenses incurred by a community college under the program will be paid for by the state; provides that the industry services training program needs are to be identified by the Division of Economic Development of the Department of Commerce in conjunction with other state and local agencies.

9-4 Licensing Requirements (HB 485) To exempt eating places operated by private or public schools, colleges, or nonprofit civic organizations that are used for short-term events from the licensing requirements for public food establishments.

9-5 Tuition Deferment (CS/HB 654) Permits veterans and other eligible students receiving benefits to receive one tuition and fee deferment each academic year and an additional deferment each time there is a delay in the receipt of their benefits; requires the State Board of Education to enforce collection of or otherwise settle delinquent accounts.

9-6 Purchases (HB 733) Prohibits any state agency from purchasing fresh or frozen imported pork which has not been inspected by either the U.S. or Florida departments of agriculture.

9-7 Administrative Procedures (HB 1075) Makes technical changes in the Administrative Procedures Act. Changes include but are not limited to the following: provides that any university or community college student charged with unlawful possession or sale of a controlled substance may, instead of, shall, be suspended after an administrative hearing; removes the procedure for a public hearing in cases of refusal, suspension or revocation of a license by the State Board of Independent Postsecondary Vocational, Technical, Trades, and Business Schools.

9-8 Retirement (CS/HB 1140) Makes technical changes in the state retirement provisions including but not limited to the following: clarifies that "average final compensation" normally means best five years of the last ten although a member may request the best five years of total years; permits continuation in original retirement system for those who return to employment after termination or interruption; reopens option to transfer to Florida Retirement Service from other systems for the next year; repeals employee contribution of 1 percent requirement and changes employer contribution from 9.2 to 9.1 percent; specifies that school and community college district employees who have 30 years of creditable service as of August 1, 1978 may retire under normal retirement provisions.

9-9 Student Loan Notes (HB 1314) Authorizes the Department of Education to sell student loan notes to the federal Student Loan Marketing Association and requires compliance with applicable federal law and regulations.

9-10 Athletic Scholarships (HB 1334) To authorize an additional charity day at Daytona Beach Jai Alai Fronton with proceeds to be paid to the Daytona Beach Community College for athletic scholarships.

9-11 Late Payment Interest (HB 1532) To provide that state agencies not paying for goods 45 days after they have been received are liable to the vendor for interest at the rate of 1 percent per month.

9-12 Governing Board (HB 2113) Continues Sarasota County in Manatee County Community College District and continues membership of Manatee Board at five members.

9-13 Public Funds – Direct Deposits (HB 2116) Authorizes public agencies including community college districts to withdraw, pay, and disburse all public funds in their control by direct deposit to the account of the person entitled to receive such funds; authorizes the transfer of funds by electronic or other medium for purposes of investment to any depository authorized by law to receive funds.

9-14 Handicapped Facility Regulations (HB 2137) Provides that each state agency is responsible for assuring compliance with Department of General Services rules relating to special facilities for the physically handicapped in privately-owned space leased by the agency.

9-15 Unemployment Compensation (HB 2193) Makes changes in the unemployment compensation provisions. Changes include the following: clarifies the definition of "suitable work"; benefits shall not be paid to educational personnel for any week of unemployment between either two successive academic years or between two regular terms; exempts customary vacation periods or holiday recess from payment of benefits; provides for no employer contribution or reimbursement liability when court decisions reverse original decisions; specifies that employers using the reimbursable method shall be charged proportional share of benefits and Unemployment Compensation Fund shall be reimbursed in full.

9-16 Workmen's Compensation (SB 3-D) Makes changes in the workmen's compensation provisions. Those sections of special interest to the community colleges include the following: extends employers' immunity to employees acting in good faith on behalf of their employers, but excludes those employees acting with willful and wanton disregard, unprovoked physical aggression or gross negligence; provides that the employer must report injury or death within 7 days rather than 10 days; specifies who will pay attorney's fees for claims for benefits other than medical benefits; modifies the provisions for pooling liabilities for self-insurance purposes; requires the Division of Labor to prepare quarterly analyses of injuries resulting in claims and distributing such analyses to each employer and self-insurer which are relevant to the work force; creates reports of information on workmen's compensation which are required to be submitted by insurers and self-insurers to the Department of Insurance.

9-17 Statutory Boards (CS/SB 22) "Sundown Act". Repeals those statutes authorizing statutory boards, committees, commissions, and councils adjunct to executive agencies as of October 1, 1981, including the State Community College Council; provides for legislative review of various councils two years prior to date of repeal to determine if they should be re-established; re-establishment in no case shall be for longer than six years; provides for periodic review of all councils.

9-18 Energy Efficiency (SB 114) Amends the requirement for energy efficiency standards by providing for the development of a building energy index which will serve as a measure of building energy efficiency; adds an explanation of what the life-cycle cost analysis shall be, and requires Office of Educational Facilities Construction to develop standards for computing life-cycle costs.

9-19 Hearing Aid Programs (CS/SB 185) Requires the establishment within public educational institutions of formal courses in the fitting, selling, and servicing of hearing aids; requires, as a minimum, that courses shall consist of successful completion of the requirements for an associate degree; beginning in 1979, permits the granting of registrations for fitting and selling of hearing aids only upon evidence of satisfactory completion of a continuing education course consisting of at least ten contact hours.

9-20 Employee Records (SB 216) Requires rather than permits the State Board of Education to prescribe content and custody of limited access records which a community college may maintain on its employees; provides that information from such records may be released only upon written authorization by an employee, the president, or upon a court order.

9-21 Purchases (SB 323) Raises from $1000 to $2500 the amount of commodities which state agencies, including state universities may purchase without requesting competitive bids.

9-22 Student Aid (SB 264) Limits the amount of the Student Assistance Grants to the amount of demonstrated unmet need for tuition and fees only, not to exceed $1200 per year; continues eligibility for grants to students of any Florida institution accredited by a member of the Council on Postsecondary Accreditation and extends eligibility of grants to students of Florida institutions whose credits are acceptable for transfer to state universities.

9-23 Tax Exemption (SB 351) Provides that private nonprofit corporations whose purpose is to raise funds for colleges and universities shall be considered educational institutions for tax exemption purposes; provides a sales tax exemption on dues, membership fees, and admission charges imposed by certain organizations and not-for-profit community or recreational facilities.

9-24 Surplus Funds (SB 368) Provides that surplus funds in excess of $30,000 remaining in the trust fund for the Florida Construction Industry Licensing Board shall be allocated to research projects and to educational institutions offering approved courses in building construction; requires that 50 percent of the excess funds be apportioned among public and private colleges based upon the number of full-time building construction students; requires funds to be used for continuing education programs for those engaged in the building construction industry.

9-25 Public Printing (SB 426) Permits public printing to be done out of the state if no in-state plant is capable of performing the job or if only one bid is received from a plant within the state. Previously, all public printing had to be done in the state.

9-26 Financial Procedures (CS/SB 436) Requires the Commissioner to include in the annual comprehensive budget cooperative facilities projects between two or more boards; changes the requirement for commitment by a non-educational governmental agency from one-third to at least one-half the cost of a community educational facility; requires specific legislative authorization in the General Appropriations Act for the use of Public Education Capital Outlay and Debt Service Trust Funds.

9-27 Veterans Preference (SB 539) Requires public agencies including colleges to give preference in appointment, promotion, and retention to veterans who served during wartime and whose service included at least 181 consecutive days; agencies required to file a written report when eligible veteran is not employed in a non-competitive position (non-competitive positions are not considered to be under the career service system or other merit-type system); provides penalties for violation of the act.

9-28 Teacher Training (CS/SB 549) Requires an evaluation report on Florida teacher training programs before the 1980 legislative session; provides for a passing score on a national normed college entrance exam as determined by the Department of Education as a prerequisite for teacher education program admission; amends certificate requirements by limiting certificate validity to 5 years, identifying minimum teacher competency criteria, and requiring a one-year internship or prior teacher experience to obtain regular certificates; specifies areas of training for extension of certificates; revises professional practices council membership by replacing DOE, community college and university representatives with two teachers and one principal; defines full-time equivalent community college and public school administrators and instructors for funding purposes; and requires the Commissioner to conduct a community college administrator-instructor ratio study and report to the legislature by 1979.

9-29 Open Meetings (SB 651) Amends "open meetings" statutes by authorizing court to assess attorney's fees against any public agency guilty of violation of public meetings requirements; fees may be assessed against individual board members except where board members are acting upon advice of board attorney; prohibits any public board from holding meetings in any facility which discriminates on the basis of sex, age, race, creed, color, origin, or economic status or which unreasonably restricts public access; permits any board to reimburse any member acquitted of charges for any portion of reasonable attorney's fees.

9-30 Senior Citizen Data Bank (SB 669) To provide for the establishment of a Data Bank on older people to make available accurate data for sound planning and decision making by legislative committees and by local and state agencies when considering health, financial conditions, housing, education, transportation, and service needs of the elderly.

9-31 Student Aid Fee (SB 694) Removes the requirement that community college and university student scholarship loan fee be charged students when the Division of Bond Finance and the Commissioner of Education determine it is no longer necessary; provides for return of escrow funds to the institutions generating the original fees after administrative expenses and $150,000 for creating a university financial aid data processing system have been deducted.

9-32 Administrative Procedures Amendments (SB 860C) Amends the Administrative Procedures Act. Changes include but are not limited to the following: amends definition sections to include "denial of requests" as a part of "agency action" and other duly authorized presiding officers under "recommended order"; revises rule making adoption procedures by reducing economic impact statement requirements from 7 to 4 items and requiring a detailed statement of data and method used in making estimates; clarifies that no rule shall be invalid if an economic impact statement is inadequate unless administrative or judicial proceedings are involved; requires a public hearing if requested by an affected person; provides for public inspection and copying of proposed rule changes; adjusts procedures required of state agencies relating to the APA Committee and notifications given to the Department of State; excludes university rules relating to internal personnel or business and finance from advertisement in the Florida Administrative Weekly; establishes a schedule for challenging an emergency rule; designates special hearing procedures for revocation of parole and identifies hearing officer reports that must be prepared for application for license or merger hearings; identifies procedure for agencies seeking subpoena or order enforcement; and clarifies judicial review procedures for certain district school board decisions.

9-33 Charity Day (SB 876) To permit an additional charity day of operation for all Jai Alai Frontons in Broward County, with proceeds to go to Broward Community College Foundation for the general welfare and benefit of Broward Community College.

9-34 False Statements (CS/SB 956) Changes from a misdemeanor to a felony the act of making a false statement or failing to disclose a material fact in order to prevent or reduce unemployment compensation benefits to an individual.

9-35 Appropriations (SB 1100) General appropriations bill. Those sections which would affect the community colleges include the following: to appropriate $192,078,563 to the community colleges for operating expenses; to require the Commissioner to develop a plan to be submitted to the legislature for a uniform coordinated system of vocational education that would include school districts, community colleges, and universities; to direct the Commissioner to develop a detailed analysis of the Individualized Manpower Training System programs in public schools and community colleges; to require each community college board of trustees to secure prior approval from the Commissioner before purchasing or leasing any electronic data processing equipment or software costing in excess of $6000; to appropriate $100,000 to the Commissioner to contract for a study to determine the feasibility of self-insurance programs for school districts and community colleges; and to appropriate $21,372,915 to community colleges in capital outlay funds and $2,542,572 for community college library books.

9-36 Tuition Waiver (SB 1272) Provides for the full waiver of postsecondary education student fees up to age 25 for any dependent child of a special risk member of the Florida Retirement System who is killed in the line of duty.

Legislation Introduced But Not Enacted

9-37 Insurance (HB 35) To authorize community colleges to allow retired former personnel the option of continuing to participate in group insurance plans; cost to be paid by employer or employee.

GEORGIA (10)

Legislation Enacted

10-1 Board of Education Authority (HB 112) Provides for the regulation by the State Board of Education of all private degree-granting postsecondary educational institutions in Georgia which are not fully accredited liberal arts colleges and universities.

10-2 Building Codes (HB 546) Forbids the construction, repair or renovation of any building in the State with plumbing facilities which exceed a certain specified rate of water use.

10-3 Fidelity Bonds (HB 791) Provides that fidelity bonds procured by the Commissioner of the Department of Administrative Services shall satisfy any statutory bonding requirement of State officers, officials or employees.

10-4 Construction Procedures (HB 1268) Provides that governmental entities must comply with all municipal ordinances when blasting or excavating in the vicinity of underground gas pipes or other facilities.

10-5 Energy Standards (HB 1310) Authorizes the State Building Administrative Board to adopt thermal efficiency and lighting efficiency standards for new and renovated public buildings; state agencies must also comply with the standards adopted.

10-6 Retirement (HB 1330) Amends the Teachers' Retirement System Act so as to raise from 5% to 5½% the maximum rate of regular interest for use in all calculations required in connection with the System.

10-7 Retirement (HB 1331) Adds to the Teachers' Retirement System Act a provision for payment of death benefits upon the death of a member in service who has not named a beneficiary on a beneficiary designation form filed with the System.

10-8 Educational Facilities Authority (HB 1333) Creates the Georgia Educational Facilities Authority with power to acquire, construct and equip self-liquidating projects consisting of educational facilities for lease or sale to private institutions of higher education.

10-9 Workmen's Compensation (HB 1360) Amends the Workmen's Compensation law so as to change the designation of the law to Workers' Compensation and to effect a number of substantive changes.

10-10 Construction Contracts (HB 1427) Enacts the Georgia Arbitration Code for Construction Contracts; provides procedures for the enforcement of arbitration provisions in construction contracts.

10-11 Public Documents (HB 1431) Provides that each department within the executive branch of State government, including the Board of Regents, shall make an annual report to the State Librarian containing a list of all public documents published during the preceding year.

10-12 Peace Officers (HB 1458) Authorizes the Peace Officers Standards and Training Council to reimburse certain costs incurred in training peace officers and support personnel employed by State agencies and to develop, adopt and issue professional certificates.

10-13 Retirement (HB 1459) Grants creditable service to certain members of the Teachers' Retirement System for service on active duty in the armed forces during the period beginning July 1, 1946, and ending December 31, 1948.

10-14 Surplus Properties (HB 1500) Authorizes the Commissioner of the Department of Administrative Services to establish a State agency to distribute surplus properties made available by the federal government.

10-15 Peace Officers (HB 1576) Clarifies the status and requirements for certification of retired peace officers under the "Georgia Peace Officers Standards and Training Act."

10-16 Unemployment Compensation (HB 1670) Amends the State Unemployment Compensation law so as to accord with new requirements issued by the U.S. Secretary of Labor.

10-17 Discrimination (HB 1711) Prohibits discrimination in State employment because of race, color, religion, national origin, sex, handicap and age; creates an Office of Fair Employment Practices with powers of investigation and enforcement.

10-18 Per Diem (HB 1953) Raises the per diem rate from 12¢ to 15¢ a mile for state employees and officers.

10-19 Contractors (HB 1953) Exempts from reporting requirements those nonprofit contractors who have contracted with State agencies during the two years immediately preceding the execution of the contract in question, if the contractors have had a previous State contract requiring the establishment of fiscal and programmatic accountability.

10-20 Retirement (SB 28) Reduces from five to two consecutive years of creditable service the period over which a member's highest compensation may be averaged in computing retirement benefits under the Teachers' Retirement System.

10-21 Travel Reimbursement (SB 73) Provides that State officials and employees must submit supporting documentation in order to be reimbursed for certain lodging and air transportation expenses; also prohibits reimbursement for the first-class air transportation where less costly air transportation is available.

10-22 State Scholarships (SB 384) Gives the Board of Regents statutory authority to grant certain scholarships.

10-23 Senior Citizen Fee Waiver (SB 505) Enacts in statutory form the Constitutional Amendment which authorized and directed the Board of Regents to permit citizens of the State 62 years of age or older to attend units of the University System without payment of fees.

10-24 Per Diem (SB 552) Increases from 12¢ to 15¢ per mile the mileage rate for State employees who operate private motor vehicles while engaged in State service.

10-25 Personal Titles (SB 570) Provides that any person who uses the term "Doctor" or "Dr." on any letter, business card, advertisement, etc., shall designate the degree to which he is entitled by reason of his graduation from a college or to designate the degree as "honorary" if applicable, or to designate "no degree" if he is not entitled to such recognition.

10-26 Student Aid (SR 217) Proposes an amendment to the Constitution completely revising Article X relating to retirement systems and scholarships so as to authorize the general assembly to provide grants, scholarships, loans or other assistance to students for educational purposes; also, the Regents would be authorized to establish programs allowing attendance at units of the University System without payment of tuition or other fees.

Legislation Introduced But Not Enacted

10-27 Data Processing Equipment (HB 246) To provide that the electronic data processing equipment used for any purpose by any agency under the jurisdiction of the Board of Regents shall not be transferred to the State Department of Administrative Services.

10-28 Physician Assistant Certification (HB 1636) To add a grandfather clause to the Physicians' Assistants Act so as to provide that any physician's assistant who, as of July 1, 1975, held a valid certificate issued by the Board shall not be required to take any examination on or after that date as a condition for retaining certification of eligibility.

10-29 Retirement (SB 43) To establish the State Department of Actuarial Services with authority to cooperate with various pension, retirement and emeritus systems for State employees.

10-30 Per Diem (SB 495) To specify the annual salary for certain State officials and provide reimbursement for actual transportation , lodging, and meal costs while on State business.

HAWAII (11)

No Legislative Report Received

IDAHO (12)

Legislation Enacted

12-1 Appropriation (SB 1561) Appropriates $3,464,800 from the general account to the junior colleges for general education programs and the retirement program during the fiscal year ending June 30, 1979.

12-2 Capital Funds (SB 1592) Appropriates $4,992,800 to the Permanent Building Fund Advisory Council and the Division of Public Works for specified construction project; includes $650,000 for completion of the Humanities Building at North Idaho College.

ILLINOIS (13)

Legislation Enacted

13-1 Tort Immunity (HB 1468) Amends the Local Governmental and House Government Employees Tort Immunity Act. Provides that a local public entity may protect itself against liability under this Act or the Occupational Disease Act through insurance, self insurance, claims services, or through participation in a reciprocal insurer. Such expenses may be paid through a special tax levy of the community college district.

13-2 Funding Formula (HB 2767) Provides 100% funding for enrollment growth in community colleges during their first four years of operation; older community colleges receive 70% funding for enrollment growth.

13-3 Capital Funds (HB 2798) Permits the state to reimburse community colleges for all locally funded capital projects begun since 1972.

13-4 Technical Financial Changes (HB 2818) Technical changes; changes language of "full, fair cash value" to "equalized assessed value" in various places of the Illinois Public Community College Act.

13-5 Capital Funds (HB 3231) Reappropriates $187,500 to the Capital Development Board for repair of a roof at John A. Logan College.

13-6 Abolition of Working Cash Fund (HB 3274) Permits the abolition of a working cash fund and the transfer of any balance in such fund to the operating funds by adoption of a resolution by the board of trustees of any community college district. The district may not establish another working cash fund without a referendum.

13-7 Appropriation (SB 1530) Appropriates $123,084,811 for the public community colleges. Illinois Community College Board - $766,300; basic and enrollment growth credit hour grants - $102,195,000; equalization grants - $10,355,300; disadvantaged programs - $3,800,000; State Community College of East St. Louis - $5,967,711.

13-8 Student Aid (SB 1533) To appropriate $25,000 from a defaulted bond for reimbursement to the State Community College Student Financial Aid Program.

13-9 Funding Formula (SB 1534) Increases the basic rates for credit hour funding: baccalaureate - $23.11, business-occupational - $19.59, technical-occupational - $26.98, health occupational - $42.56, general studies - $7.01; provides special grants of $15,000 for each community college for disadvantaged students; provides for quarterly funding of state aid to community colleges instead of reimbursements after filing claims after mid-term; to establish an income fund and a contracts and grants fund for the State Community College at East St. Louis under its new governing board but with budget review and approval by the Illinois Community College Board.

13-10 Retirement (SB 1535) To appropriate $50.7 million for higher education employer contributions for the State Universities Retirement System; includes $5,658, 100 for community college districts and $43,100 for the Illinois Community College Board Office.

13-11 Capital Funds (SB 1587) Reappropriates funds for construction projects currently underway. Total reappropriation for community college construction projects is $44,040,094.

13-12 Capital Funds (SB 1601) Appropriate $227,673,800 to the Capital Development Board; $9,437,000 of this sum is for community college capital projects.

Legislation Introduced But Not Enacted

13-13 Collective Bargaining (HB 2) To provide for public employee collective bargaining. (No other information available.)

13-14 Collective Bargaining (HB 19) To provide for teacher collective bargaining. (No other information available.)

13-15 Student Board Representation (HB 319) To provide for student voting on boards.

13-16 Collective Bargaining (HB 869) To provide for public employee collective bargaining.

13-17 Financial Procedures (HB 1268) To require fiscal notes. (No other information available.)

13-18 Tax Rates (HB 1442) Would have provided 17.5¢, 5¢, and 1¢ minimum qualifying tax rates for community colleges.

13-19 Funding Formula (HB 1471) To increase community college credit hour grants to $24.

13-20 Funding Formula (HB 2084) To amend administration and funding of IOE grants for Adult Education courses. (No other information available.)

13-21 Collective Bargaining (HB 2205) To provide for public employee collective bargaining.

13-22 Job Training (HB 2738) To provide for job training for new and expanding industries. (No other information available.)

13-23 Job Training (HB 2739) To appropriate $1,500,000 for job training bill.

13-24 Annexation (HB 2896) To provide for the annexation of Kankakee Community College to the City of Kankakee.

13-25 Audits (HB 3014) To substitute State Auditor General for independent auditors at the State Community College.

13-26 State Board Authority (HB 3312) To require the State Board to reconsider a petition after a public hearing and to delete State Board power to increase minimun grants for EAV and the population for new districts.

13-27 Tax Limitation (HJR/CA 22) To provide that the legislature shall not impose taxes in excess of 7% of the personal income of Illinois for the last known fiscal year.

13-28 Capital Funds (HJR/CA) To set limits of $3.5 billion for Capital Development Board debts.

13-29 Admission Standards (SB 837) To permit the Board of Higher Education to establish admission standards.

13-30 Capital Funds (SB 1429) To increase bonding authorization for community college purposes by $499,650 to conform with appropriation for John Wood Community College Satellite Center.

13-31 Capital Funds (SB 1672) To provide additional bonding authority for new capital construction projects.

13-32 Interinstitutional Cooperation (SB 1704) To provide that state colleges and universities may enter into interinstitutional cooperation programs with not-for-profit corporations.

13-33 Job Training Programs (SB 1769) To provide that the College Board shall fund agreements for job training programs between new or expanding industrial firms and institutions of higher education or secondary education; state to pay 100 percent of educational costs of approved programs.

13-34 Financial Procedures (SB 1833) To amend Capital Development Bond Act; to provide that bonds earmarked for educational facilities may be used for reimbursement grants to public community colleges.

INDIANA (14)

Legislation Enacted

14-1 Appropriation Supplemental appropriation provides for a 7.9 percent salary increase for employees of postsecondary institutions for 1978-79; the 1977-79 biennium budget had only provided for a 5.9 percent salary increase for 1978-79.

IOWA (15)

Legislation Enacted

15-1 District Boundaries (HF 463) Amends Chapter 280A by providing for a commission in each merged area district to redraw the boundary lines of the director districts of a merged area; provides that beginning in 1981, each merged area board of directors will consist of 9 members; removes the requirement that the board of directors change merged area school director boundaries after each dicennial census; and removes the requirement that the merged area school board of directors change the director districts after each dicennial census.

15-2 Capital Funding (HF 491) Includes merged area school roads and bridges in the state institutional roads and park roads categories and authorizes merged area schools to receive state funding for the construction and maintenance of roads and bridges.

15-3 Risk Management (HF 545) Creates within the Department of General Services a risk management division that has duties relating to loss and loss exposures of state government; act includes merged area schools among the governmental subdivisions that may be assisted.

15-4 Technical Amendments (HF 2033) Eliminates certain obsolete sections of the Code that provided a reference to state aid to junior and community colleges operated by local school districts since local school districts no longer operate these institutions.

15-5 Board Membership (HF 2136) Allows the secretary of a school board to be an employee of the board but the secretary cannot be a teacher employed by the board.

15-6 Financial Regulations (HF 2137) Permits the voted levy for the plant fund to not exceed ten years rather than five years as previously authorized; also changes the date on which the merged area school budget must be submitted to the state board of public instruction and the period in which the state board will review the merged area budgets from December 1 and January 1 respectively to May 1 and June 1.

15-7 Sales (HF 2277) Permits the sale of student constructed buildings by any procedure adopted by merged area school boards of directors.

15-8 Retirement Contributions (HF 2426) Increases the contributions to the Iowa Public Employees' Retirement system to 3.7% of covered wages by employees and 5.75% by employers beginning July 1, 1979; also changes benefits from 40% to 44% of the high five year covered wages after 30 years of service for persons who retire after July 1, 1978.

15-9 Smoking Prohibition (SF 2022) Prohibits smoking in certain public places; provides fines for offenses; and makes the agency responsible for the public place responsible for designating areas where smoking is permitted.

15-10 Appropriations (SB 2125) 1978-79 general appropriations act. The following amounts were appropriated for merged area schools: $37,050,000 for general operating costs; $1,350,000 for equipment replacement and upgrading; $8,700,000 for state vocational aid for matching federal reimbursement; $120,000 for the operation of the public radio station in one merged area; $250,000 for added enrollment; $150,000 for existing jointly administered secondary vocational education programs; and $200,000 to supplement the standing appropriation of $150,000 for the vocational-technical tuition grant program.

15-11 Student Aid (SF 2228) Authorizes a state guaranteed loan program and an initial appropriation of $280,209; program will provide loans to Iowa residents and non-residents who attend any eligible Iowa postsecondary educational institution; maximum loan for undergraduates is $2500 and for graduates is $5000.

15-12 Capital Funds (SB 2229) Authorizes an appropriation of $85,000 to Iowa Western Community College for educational broadcasting facilities subject to receipt of a matching $225,000 grant from a federal agency.

15-13 Salary Adjustments (SB 2268) Authorizes an appropriation of $10,500 for salary adjustments and fringe benefits to employees of the public radio station at Western Iowa Tech Community College.

KANSAS (16)

Legislation Enacted

16-1 Chargeback Regulations (HB 3108) Prohibits community colleges from charging out-district tuition to a county for a student whose residence is in a county where a community college offers the same program he is enrolled in.

16-2 Adult Education Levies (HB 3143) Permits a community junior college board of trustees to adopt a resolution authorizing an adult basic education levy subject to a five percent protest petition election requirement; the resolution could impose a tax levy for a maximum of five years in an amount not greater than the amount produced by a rate of .25 mill or $50,000 per year; previously, boards could levy a maximum of .25 mill for adult basic education but voter approval of such action was required each year.

16-3 Lease Agreements (HB 3150) Increases from one to five years the time period for which a community college is permitted to enter into leases; permits community colleges to establish a petty cash fund of up to $1,000.

16-4 Fiscal Procedures (SB 650) Requires the Director of Accounts and Reports, with the advice of the Kansas State Board of Education and the Legislative Educational Planning Committee, to develop a revised, standardized system of fiscal procedures, accounting, and reporting for community junior colleges.

16-5 Appropriations (SB 657) General community college financial legislation. Provides $21 per credit hour for academic enrollments of state residents who have less than 64 total hours or 72 total hours if in certain terminal types of programs; provides $31.50 per credit hour for enrollments in approved vocational programs subject to the 64 and 72 hour limits; provides $11 per credit hour for both academic and vocational enrollments above the 64 and 72 hour limits. Formerly state aid was $16.50 per credit hour up to 64 and 72 hours and no state aid was paid for enrollees already having exceeded the 64 and 72 nour limits. Provides that both out-district and state aid and out-district tuition will be paid at rate of $21 per credit hour – previously the rate was based on a computed average operating cost per full-time equivalent student at each institution. Courses taught in area vocational schools under contract with a community college are not eligible for state aid if those courses generate area vocational school federal and state categorical aid. Provides that no state or federal vocational categorical aid will be paid to community colleges. Amends the definition of credit hour for the purpose of ensuring that community college courses are both approved by the State Board of Education and offered at a level no higher than the freshman and sophomore level in four-year postsecondary institutions. Provides $16.2 million for FY 1979 for community college credit hour and out-district state aid.

16-6 Removal of Budget Limitation (SB 973) Permits community junior colleges to increase their budgets per student by 106% for FY 1979 only over the FY 1978 budget; the present 5% limitations on budget increases will become effective again after 1979.

KENTUCKY (17)

Legislation Enacted

17-1 Occupational License Regulations (HB 100) Prohibits the denial of public employment and/or an occupational license solely because of a prior conviction of a crime; establishes grounds for denying employment or a license to person previously convicted of a crime under certain circumstances.

17-2 Personal Service Contracts (HB 110) Requires all contracting bodies including postsecondary institutions to file copies of all personal service contracts (those contracts entered without competitive bidding) with the legislative research commission; requires documentation of need for such service; creates a permanent subcommittee of the legislative research commission to review personal service contracts and to decide whether they should be continued; provides for an extensive appeal process with ultimate decision making authority resting with the General Assembly.

17-3 Legislators as Faculty (HB 145) Permits legislators to serve on the faculty of any state university or community college.

17-4 Competition with Private Enterprise (HB 469) Prohibits state agencies and institutions from competing with existing private enterprise; excludes from this prohibition cooperative educational programs and programs concerned with the social and economic rehabilitation of the economically disadvantaged and the physically handicapped.

17-5 Faculty and Student Representation (HB 568) Adds to the Council on Public Higher Education a faculty representative to be selected from and by the faculty trustees and regents of four-year public institutions; also adds a student representative to the Council to be selected by the governor from nominations submitted by student body presidents; faculty and student representatives will be voting members.

17-6 Conflict of Interest (HB 661) Provides that no member of a board of trustees or regents shall have an interest in any contract with a state university unless such contract was submitted for competitive bidding, the trustee or regent was the lowest bidder, the trustee or regent notified the board of his intentions, and the trustee or regent notified the newspaper with the largest circulation in the county where the State University is located.

17-7 Occupational Education Board (SB 8) Appoints the Superintendent of Public Instruction as the executive officer of the state board for elementary education; previously the Superintendent served in this capacity only for the board of education.

17-8 Occupational Education Department Creates a department for occupational education; gives it authority over all occupational programs including those in postsecondary institutions.

Legislation Introduced But Not Enacted

17-9 Regulatory Agencies (HB 212) To repeal the statutes which created numerous regulatory agencies including those for barbers, auctioneers, psychologists, architects, physicians, veterinarians and many more; before termination the Legislative Research Commission will review each regulatory agency to determine if it is needed; regulatory agencies determined to be needed must be reviewed once every six years to determine if continuation is appropriate.

17-10 Purchasing Regulations (HB 261) To provide that all state agencies, bodies, and institutions purchase items such that Kentucky made products are given first priority, American made second priority, and nonAmerican made third priority; establish price differential guidelines to be used in order to avoid not purchasing according to the priority listing.

17-11 Collective Bargaining (SB 88) To permit collective bargaining by certified educators.

17-12 State Publication Commission (SB 137) To create a state publications review commission to review, approve, and oversee the publication of all state agencies.

17-13 Building Codes (SB 171) To extend to local areas the requirement that they abide by the state fire marshall's regulations relating to accommodations for physically handicapped people when issuing permits for remodeling or construction of public buildings.

17-14 Handicapped Accommodations (SB 235) To provide that no physically handicapped person shall be denied the benefits of, or subject to discrimination in any place of public accommodation or in any public building.

17-15 Facility Regulations (SB 239) To provide that a restroom and a rest area suitably furnished be provided in every building where employees work.

LOUISIANA (18)

No relevant legislation considered in the 1978 session.

MAINE (19)

No legislative report received

MARYLAND (20)

Legislation Enacted

20-1 Budget Bill (HB 810) Appropriates $47,111,560 from the General Fund to community colleges for 1978-79.

20-2 Audits (HB 1018) Requires the State Board for Community Colleges to adopt guidelines for the preparation of annual audit reports by the community colleges; provides for the method of enforcing compliance with these audits including the withholding of state funds; authorizes the legislative auditor to make annual or special audits of community colleges under certain conditions and to report annually on the audits of community colleges; and states the powers of local government auditors to audit community colleges.

20-3 Funding Formula (HB 1496) Includes Cecil Community College among those community colleges eligible to receive higher levels of state support under a small college funding formula.

20-4 Collective Bargaining (HB 2133) Authorizes collective bargaining procedures for employees of the Montgomery Community College.

20-5 Reciprocal Tuition Agreement (SB 545) Provides that a portion of certain out-of-state fees are waived for West Virginia residents attending Garrett Community College subject to certain reciprocity agreements negotiated between Maryland and West Virginia.

20-6 Civil Liability (SB 594) Authorizes the board of Public Works to grant a sum to satisfy all or part of a settlement or judgment rendered by a court against a state officer or employee for action taken in fulfilling his public responsibilities.

20-7 Student Aid (SB 726) Creates a Distinguished Scholar Program to award one hundred $500 scholarships to those secondary school students who have the greatest potential for academic success in higher education as determined by the State Scholarship Board. Scholarships renewable for a maximum of three years and can only be used in Maryland postsecondary institutions.

20-8 Funding Formula (SB 845) Regional and small colleges are eligible for higher levels of state support if they meet certain population requirements. This measure increases the population requirement from 100,000 to 150,000 for the higher level of state support to become effective. In addition, provides that instead of eight members serving on the board of Chesapeake College, a regional college, that two members from each county supporting the college would serve on the board. This means that non-aligned counties could join in support of the college at a future date.

20-9 Senior Citizen Tuition Waiver (SB 850) To eliminate the requirement that at least ten regular students must be enrolled in a community college course before a senior citizen can be exempted from paying tuition for that course. Under the measure, any course that continues with less than ten students could be attended by a senior citizen whose tuition fees could be waived.

20-10 Code Revision Adds a new article, the Education Article, to the Annotated Code; purpose of the addition is to revise, restate, and recodify the state laws relating to all levels of education including community colleges; those changes related to community colleges primarily clarify previous laws, delete out-of-date sections, and provide for uniform style; little substantive change is included that affects community colleges.

Legislation Introduced But Not Enacted

20-11 Financial Procedures (HB 815) To require annual operating budgets of community colleges to show all revenues and expenditures; and to provide for certain categories of revenues and expenditures. In essence, to deal with the categories of county appropriations to community colleges.

20-12 Student Board Representatives (HB 1016) To require the student members of the boards of the Anne Arundel, Montgomery County, and Prince George's Community Colleges to meet the qualifications required to be student body president at those community colleges.

20-13 Retirement (HB 1307) To extend the time period during which clerical employees of community colleges may elect to join the Teachers Retirement Systems.

20-14 Collective Bargaining (HB 2034) To permit the employees of Prince George's Community College to bargain collectively.

20-15 Computing Consortium (HB 2074) To authorize the State Board for Education to create a Maryland Educational Computing Consortium comprised of higher Educational entities in the state; to provide for the coordination, review, and authority of the Board relative to data processing and computer equipment and service acquisitions in four-year institutions only.

20-16 Student Representation (SB 262) Concerning student representation on the board of trustees of Allegany Community College. (No other information available).

20-17 Technical Financial Changes (SB 279) To repeal an obsolete reference to a maximum rate of interest payable with respect to certain board authorizations relating to regional community colleges.

20-18 Faculty Board Representation (SB 286) To add a faculty member to the Board of Trustees of Allegany Community College.

20-19 Fiscal Procedures (SB 682) To require annual operating budgets of community colleges to show all revenues and expenditures; and to provide for certain categories of revenues and expenditures. In essence, to deal with the categories of county appropriations to community colleges.

20-20 Board Member Selection (SB 1212) To correct and clarify previous legislation concerning the appointments of members of certain community college Boards of Trustees by adding that the appointments are subject to the advice and consent of the Senate.

MASSACHUSETTS (21)

Legislation Enacted

21-1 State Appropriation Appropriates the following funds for community colleges: $2,300,000 for the State Board; $48,865,460 for community college operating expenses; and $709,217 for federal student aid matching funds.

21-2 Capital Funds Provides some increase in capital funds for community colleges. (No other information available)

21-3 Tuition Provides new formula for calculating out-of-state tuition for public postsecondary institutions as mandated by state legislature. Effect of formula is to increase out-of-state tuition at community colleges from $600 to $1400. No change in in-state tuition.

MICHIGAN (22)

Legislation Enacted

22-1 Appropriations Appropriates $122,000,000 for community colleges. (Note: The governor vetoed the first appropriation due to the inclusion of categoricals – service grant, remedial, student counseling, and equipment – in it. He felt the categoricals may restrict local community college autonomy.)

22-2 Trustees A technical amendment affecting the board of trustees of one community college.

MINNESOTA (23)

Legislation Enacted

23-1 Midwest Compact Provides for Minnesota's participation in the Midwestern Education Compact; the Compact will become operative when at least six of the following states join – Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, West Virginia, and Wisconsin. The Compact Board's powers and duties will include: entering into contracts with any educational institution in the compact area to provide programs and services; entering into contractual agreements with any other interstate educational organization or agency; reporting annually to the appropriate legislatures and governors; studying the needs for programs and services in the compact area and the resources for meeting the needs; inventorying educational services and programs and serving as a clearinghouse on information regarding educational activities among institutions and agencies; preparing and adopting a comprehensive educational guide for compacting states; providing consultative services to states and institutions; reviewing and commenting on agreements between states and other proposed educational services that may have compact significance. Funds for the Compact will be provided in the following manner: half of the total budget will be supplied by the participating states equally; the other half of the budget will be apportioned among compacting states in accordance with the ratio of their populations to the total population of the entire group of states.

23-2 Career Guidance Provides for the establishment of a statewide career guidance, testing and information program under the Higher Education Coordinating Board. Essentially this involves substantially strengthening a program already in existence to give it more visibility and stronger base. The program is designed to assist 11th grade students to make career plans and decisions regarding postsecondary education; assist high school, college and vocational institute counselors in their work with students; assist Minnesota colleges and vocational institutes to identify students for whose talents, interests, and needs they have appropriate programs; assist colleges and scholarship agencies to select from applicants those who show the most promise of benefiting from particular programs; provide educators, state planners and policy makers with a continuous inventory of the talents, plans, needs and other characteristics of students in individual institutions in the state; assist educators, state planners, and policy makers to develop improved educational measures and counseling tools. Requires the board to establish an advisory task force to define the objectives of the program and make recommendations to the Board on program goals, policies, and selection of tests; membership on task force to include representatives from public and private secondary and postsecondary systems. Appropriates $65,000 for the program for the first year.

23-3 Student Representation Provides for the appointment of a student to the seven member State Board for Community Colleges; provides for the appointment of a student to the local advisory committee of each community college.

23-4 Institutional Registration Amends the Private Institutions Registration Program; requires all out-of-state institutions to register annually; provides that the Coordinating Board shall not disclose financial records submitted by schools except under certain circumstances; exempts certain organizations and bodies from having to register such as schools that do not grant degrees but are licensed by the State Board of Education, organizations that provide programs for their members which are not available to the public, programs sponsored by businesses which are available to their employees at no cost, and religious schools.

23-5 Capital Funds and Construction Limitation Provides $50 million for postsecondary education building projects; community colleges will receive $9.4 million and $4.1 million as allocated for AVTI projects. Also changes the method of funding postsecondary vocational facilities so that 85 percent of the cost is to be financed by appropriations from the voc-technical building fund and 15 percent is to be financed by the local school district; no local bonds are to be authorized, issued, or sold if the proceeds will be used to finance a project for which specific legislative approval is required until after approval has been given; sets financial and space standards for which legislative and/or state board approval must be received before a district may expend funds for the acquisition or betterment of lands or buildings or for capital improvements.

23-6 Capital Funds Appropriates funds for building improvements; the Community College System will receive $1.1 million for road repair, landscaping, remodeling, and other projects.

Legislation Introduced But Not Enacted

23-7 Information Systems Would have made the Minnesota Education Computing Consortium a state agency and created a Minnesota Advisory Council for Information Systems.

23-8 Tuition Waiver Would have provided a tuition waiver for veterans enrolling in area vocational technical institutes before July 1977.

23-9 Student Aid Would have improved opportunities for married students to receive financial aid by eliminating the income and assets of the applicant's spouse from the need analysis for the State Scholarship and Grant Programs.

23-10 Veterans Assistance Would have provided additional tuition assistance for veterans; would have provided $25,000 to the Higher Education Coordinating Board to study college credit for military experience.

MISSISSIPPI (24)

Legislation Enacted

24-1 National Guard Tuition (HB 140) Increases tuition payments for certain members of the National Guard to $400/semester; includes books as part of tuition; requires the establishment of minimum standards of performance to maintain eligibility; appropriates $250,000 annually for this program.

24-2 Salary Increase (HB 664) Increases the salary of certain elected officials including that of the State Superintendent of Education from $26,500 to $33,000.

24-3 Vocational Education Appropriation (HB 1448) Provides $24,308,723 for secondary and postsecondary vocational education programs; junior colleges will receive $9 million of this amount.

24-4 Per Diem (SB 2412) Increases the mileage allowance of public officials and employees from 12¢/mile to 16¢/mile.

24-5 Appropriation (SB 2927) Appropriates a total of $29,000,000 to the sixteen public junior colleges; final distribution is $25,192,000 for academic and technical day full-time, $2,845,000 for vocational day full-time, and $963,000 for academic part-time.

24-6 Finance (SB 2971) Appropriates $94,235 to the Division of Junior Colleges for administrative purposes; permits fund transfers among the budget categories if necessary; requires the certification that a vacated position is essential before it can be filled; prohibits the use of funds provided here for an employee who was paid from federal funds during the preceding year.

24-7 Nursing Program (SB 2973) Provides $1,679,920 for Associate Degree Nursing Support; $1,553,426 is for ADN programs in eleven junior colleges; represents an increase of one program, 14.5 new positions, and a 10 percent salary increase for all nursing positions.

Legislation Introduced But Not Enacted

24-8 Residency (HB 185) To amend the residency law to allow a married person to claim the residence of his/her spouse.

24-9 Audits (HB 294) To require annual audits of junior colleges by private CPA firms, to provide for publication and distribution of board proceedings, and other purposes. (See SB 2927)

24-10 Purchasing Regulations (HB 479) To standardize public purchasing regulations.

MISSOURI (25)

Legislation Enacted

25-1 Appropriation (HB 1003) Higher Education appropriations bill; allocates $28,866,378 for state aid to junior colleges.

25-2 Workman's Compensation (HB 1260) Brings employees, trustees, regents, and curators under state's workman compensation coverage.

25-3 Student Aid (HB 1735) To allow students of the Trenton Junior College District to qualify for Student Grant eligibility even though the school lacked National Certified Accreditation.

Legislation Introduced But Not Enacted

25-4 Contractual Arrangements (HB 937) Would have allowed state agencies to contract with other political subdivisions including junior college districts for services.

25-5 Community College Study (HB 938) Would have created a Junior College Study Commission endowed with the subponea among other powers. (No other information available)

25-6 Collective Bargaining (HB 998) Would have provided for collective bargaining rights for public employees including junior college teachers.

25-7 Retirement (HB 1134) Would have amended Teacher Retirement System as it now applies to junior college faculty and staff. (No other information available)

25-8 Retirement (HB 1162) Would have allowed Teacher Retirement System members (including Junior college faculty) to retire after 25 years of service with reduced benefits.

25-9 District Formation (HB 1265) Would have created Seven Director School Districts for elementary, secondary, and new junior college district formation purposes.

25-10 Contractual Authority (HB 1352) Would have authorized contracting, for performance of services and planning projects, between local political subdivisions (including junior college districts) and state/federal agencies.

25-11 Tax Limitation (HB 1381) Would have reduced or totally removed personal property tax on "homestead" of senior citizens (65 years or older); this proposed tax cut would have substantially reduced junior college funding sources.

25-12 Free Text Books (HB 1390) Would have reapportioned state aid to provide free text books to public schools and junior college students.

25-13 Tax Limitation (SB 640) Would have reduced property tax rates (real and personal) in any county experiencing a 10 percent rise in overall valuation; resulting reduction would have cut into junior college operating and capital funding resources.

25-14 Student Aid (SB 930) Would have allowed Coordinating Board certification, in lieu of North Central Accreditation, to determine institutional eligibility for Student Grant eligibility.

25-15 Student Fees (SB 948) Would have authorized revised junior college fee structures.

MONTANA (26)

No Legislative Session in 1978.

NEBRASKA (27)

Legislation Enacted

27-1 Local Spending Limitation (LB1 - Special Session) Places limits on spending by local political subdivisions of funds derived from ad valorem taxes; limits can be exceeded accordingly if state general fund revenue by district is decreased; provides for a local election if local subdivision wants to exceed the spending limit.

27-2 Local Tax Control (LB2 - Special Session) Provides for a Local Option Tax Control Act; permits the voters of any political subdivision to place a limit on its subdivision's budget funded by ad valorem taxes; simple majority required for budget limitations to become effective.

27-3 Reduced Tuition (LB 564) Increases tuition credits from 50 percent to 75 percent for members of the National Guard and also provides for free tuition for the spouse and children of Guardsmen killed on active duty.

27-4 Appropriation (LB 564A) Provides $500,000 to implement LB 564 – lower tuition for National Guardsmen.

27-5 Nurse Relicensure (LB 658) Eliminates the requirement of review courses for nurses prior to relicensing.

27-6 Student Aid (LB 743) Establishes a scholarship award program for undergraduates attending Nebraska private or public postsecondary institutions; maximum award including when applicable federal funds is the lesser of (1) $1800 (2) actual tuition charge; priority to be given to full-time students, but awards may be given to part-time students; provides that the Nebraska Coordinating Commission will administer the program.

27-7 Role and Mission Legislation (LB 756) Provides for a coordinated system of postsecondary education to avoid unnecessary program and faculty duplication by outlining the roles and missions of the three postsecondary segments: University of Nebraska, the state colleges, and the technical community colleges. Those sections affecting the Technical Community Colleges include but are not limited to the following: all direct costs of nondegree and recreational programs must be self-supporting; permits the University to offer associate degrees only in agriculturally related fields, specified health care programs, and engineering technology; permits the state colleges to award associate degrees in academic transfer and preprofessional fields but not for vocational-technical term programs; permits technical community colleges to offer associate degree programs except for limited restrictions noted above; authorizes technical community colleges to offer voc-tech, academic transfer, and avocational programs; establishes a legislative review process to ensure compliance with outlined roles and missions and for updating purposes.

27-8 Appropriation Equalization (LB 803) Provides that in the distribution of state appropriated funds to technical community colleges, the formula shall be adjusted so in any area having a population density of less than seven citizens per square mile, the full-time student enrollment shall be increased by twenty percent.

27-9 Equalization (LB 803A) Appropriates $482,602 to carry out the provisions of the appropriation equalization measure, LB 803.

27-10 Liability Issues (LB 819) Amends the political subdivisions Tort Claim Act. (No other information available)

27-11 Uniform Information System (LB 897) Provides for a state-level uniform information system for all of postsecondary education; however, the appropriation bill to provide funds for this measure was vetoed and the veto was not overridden.

27-12 Capital Construction Moratorium (LB 922) Places a moratorium on capital construction for technical community colleges except in limited exceptional cases usually involving renovations of existing structures.

27-13 Appropriation (LB 954) General postsecondary appropriation measure. Appropriates $15,056,000 for technical community colleges.

27-14 Legislative Review (LB 958) Provides that as a result of the general appropriations provided for postsecondary bodies, certain specific objectives are to be met. Those affecting the technical colleges include: prohibits the Coordinating Commission from submitting any state plan to a federal agency before it has been reviewed by the Executive Board of the Legislative Council and prohibits postsecondary institutions from expending appropriated funds for admission recruiters.

27-15 Financing Study (LR 278) Establishes an interim study committee on financing the technical community colleges.

27-16 Community College Review (LR 279) Establishes an interim study committee to conduct a comprehensive study of the vocational-technical community college system.

Legislation Introduced But Not Enacted

27-17 State Budget Limitation (LB 4 - Special Session) To limit state budget increases to 5 percent of the previous year's appropriations.

27-18 Local Budget Limitation (LB 5 - Special Session) To limit budget increases of political subdivisions to 5 percent per year; budget increase may exceed 5 percent if the subdivision's population increased by more than 5 percent; permits the legislature to suspend the 5 percent increase by a four-fifths vote; provides for an election if a subdivision believes it needs to exceed the 5 percent limitation.

27-19 State Community College System (LB 793) Would have created a state system of technical community colleges and thereby provided for state control of these institutions by a State Board of Governors.

27-20 Uniform Information System (LB 879A) To provide $35,000 to establish a uniform postsecondary information system as provided for in LB 897.

27-21 Tax Equalization (LR1 - Special Session) To provide for submission of an amendment to the constitution to the voters at the November election; the amendment would permit the State Board of Equalization and Assessment to fix tax levies in those multicounty districts where reappraisals in the separate counties have not been conducted within two years of one another; the purpose is to ensure that taxpayers in separate counties of a multicounty district do not pay unequal amounts due solely to the time when their property was appraised.

NEVADA (28)

No legislative session in 1978.

NEW HAMPSHIRE (29)

No public community colleges.

91

NEW JERSEY (30)

Legislation Enacted

30-1 Contracts (AN 1149) Permits county governments to enter into 3-year contracts instead of 12 month contracts for the provision of food services to county colleges and county assisted institutions of higher education. Will enable counties to take advantage of lower rates due to multiple year contracts.

30-2 General Appropriations Appropriates $47,950,000 for operating aid for community colleges; also provides $1,797,000 in capital funds which may be used for renewals and replacement of equipment and other nonbondable plant fund items.

NEW MEXICO (31)

Legislation Enacted

31-1 Library Appropriation (HB 3) Appropriates $150,000 to NNMCC to purchase library materials.

31-2 New Institutions (HB 3 - Special Session) Authorizes the sale of $4 million of revenue bonds to be used by the Board of Educational Finance to purchase the University of Albuquerque or other land and for construction for independent community college purposes. An additional $2 million is authorized to be used by the BEF for renovation or construction of buildings to be used for an independent community college. No bonds may be issued without the prior approval of the BEF and the next session of the legislature.

31-3 Institutional Expansion (HB 4 - Special Session) Permits the expansion of Albuquerque T-VI into a comprehensive independent community college. Requires approval of the voters in the district. Requires continuation by the voters of the current four mill levy. If the election is successful, an operational plan will be developed for approval by the Board of Educational Finance. The new institution will become operational July 1, 1979. Permits the use of part of the local levy to reduce or eliminate tuition for nontransferable vocational courses and programs. Requires branch college level tuition be charged for academic courses which are transferable for credit to degree granting institutions.

31-4 Per Diem (HB 209) Increases in-state per diem to $32 and out-of-state per diem to $44. Increases mileage allowance to $ .17 per mile when privately owned vehicle is used.

31-5 Credit Transfer (HM 7 - Special Session) Requests the Board of Educational Finance to investigate the problem of transferability of credits between state supported postsecondary educational institutions and make recommendations to the next session of the legislature.

31-6 Comprehensive Study of Two-Year Institutions (HM 15) Directs the Board of Educational Finance to study all aspects of two-year institutions and make recommendations to the next session of the legislature.

31-7 Capital Funds (SB 88) Appropriates $2,100,000 to NNMCC for construction and renovation of buildings in Los Alamos.

31-8 Capital Funds (SB 166) Reaffirms the capital appropriations previously made to the Clovis Branch in light of the recent branch district reorganization.

31-9 Credit Bank (SM 2) Requests the Board of Educational Finance to study the feasibility of establishing a system of accreditation based on the use of a "credit bank" for the accumulation of units of college credit, work or other experience, travel, correspondence schooling and artistic or literary achievement on a single transcript that would be recognized and accepted by the state educational institutions as credit towards a college degree and report its findings and recommendations to the first regular session of the thirty-fourth legislature.

Legislation Introduced But Not Enacted

31-10 Capital Funds (HB 167) Would have appropriated $1,800,000 for the Toswell Branch to construct a petroleum technology and diesel mechanics building.

31-11 Two-Year College Study (HB 247) Would have appropriated $25,000 to the Board of Educational finance to study the system of two-year colleges in the state.

31-12 Community College Study (HB 248) Would have appropriated $25,000 to the Board of Educational Finance to study the laws governing two-year colleges in the state.

31-13 Tuition Equalization (HJM 2) Would have requested the Board of Educational Finance to prepare a plan for tuition equalization for students attending private institutions in New Mexico.

31-14 Capital Funds (SB 86) Would have appropriated $1,800,000 to the Roswell Branch to construct a building for training diesel mechanics and oil field technicians.

31-15 Capital Funds (SB 159) Would have appropriated $500,000 to the Dona ana Branch to construct an auto mechanics shop.

31-16 Library Funds (SB 183) Would have appropriated $20,000,000 to be used at the rate of $2,000,000 annually to purchase library materials. (No other information available)

NEW YORK (32)

Legislation Enacted

32-1 Collective Bargaining (A 8987) To amend the Taylor law by removing the provision that provided for the loss of tenure for employees convicted of striking.

32-2 Collective Bargaining (A 9954-A) Requires that an employee organization refund on request part of the agency shop fee deduction that represents expenditures in aid of activities or causes of political or ideological nature.

32-3 Employee Benefits (A 10630-A) To freeze the social security base upon which employees rates of contribution under the State University Optional Retirement Program and the New York City Board of Education Optional Retirement Program are based; it would freeze the salary ceiling on the 12 percent contribution rate at $16,500 while contributions in excess of $16,500 would remain at 15 percent.

32-4 Student Aid (S 8911) Provides TAP enrichment (financial aid) for students at both public and independent institutions of higher education.

32-5 Appropriations Appropriates $104,984,000 for community colleges.

Legislation Introducted But Not Enacted

32-6 Personnel (A 4299) To provide that nonteaching positions in community colleges be transferred from the unclassified to the classified service.

32-7 Professional Nursing (A 6847-A) To redefine the practice of professional nursing and among other things require qualifications for "registered professional nurse" to include a beccalaureate degree in nursing.

32-8 Student Aid (A 12562) To make technical changes to TAP by increasing awards for students attending summer session to correspond to the increased level for full-time study during the year; to eliminate the restrictions on the number of certificate or degree programs at certain levels.

32-9 Extension Services (S 335-B) To establish small business extension services in six regions of the state in affiliation with an institution of higher education.

32-10 Student Aid (S 1152-C) To permit adjustments of TAP awards in cases of substantial change in the student's financial situation.

32-11 Accessibility (S 6012-B) To permit localities which do not sponsor community colleges to contract with independent institutions for educational service to certain qualified residents.

32-12 Aid to Part-timers (S 8295-A) To extend the Tuition Assistance Program to include part-time students.

32-13 Senior Citizens Tuition Waiver (S 9541) To permit trustees of SUNY to allow persons age 60 or over to take credit courses without charge on a space available basis.

32-14 Employee Rights (S 10146) To provide for the defense and indemnification of State officers and employees. (Vetoed)

32-15 Lobbying Regulations (S 10358) To require public colleges and universities to comply with the regulations of the Lobbying Act.

32-16 Economic Development Centers (S 10396) To create six economic centers under the supervision of SUNY.

NORTH CAROLINA (33)

Legislation Enacted

33-1 Supplemental Appropriation Increases state appropriations to community colleges by approximately $17,000,000; provides for a decrease in the student/teacher ratio at community colleges from 23:1 to 22:1; also provides for a six percent salary increase.

NORTH DAKOTA (34)

No legislative session in 1978.

OHIO (35)

Legislation Enacted

35-1 Suspension Appeal (NG 47) Permits classified public employees to appeal a suspension of any length of time.

35-2 Student Aid (HB 485) Extends instructional grants to students at nursing schools which offer diplomas.

35-3 Campus Police (HB 588) Makes the arrest powers of campus policemen equivalent to those of other policemen.

35-4 Unemployment Compensation (HB 762) Conforms the state unemployment compensation law with the federal law enacted in 1976.

35-5 Maintenance Cost Study (HB 1041) Mandates a study on the fixed costs of plant operation and maintenance. (No other information available)

35-6 Student Aid (HB 1121) Changes the name of Ohio Merit Scholarships to Ohio Academic Scholarships.

35-7 Retirement (SB 245) Makes technical changes to the State Teachers' Retirement System.

35-8 Scholarships (SB 279) Makes War Orphans Scholarships at private institutions of higher education equal to those at publicly supported institutions.

35-9 Appropriations Appropriates $39,257,327 for two-year colleges for operating expenses.

35-10 Capital Funds Provides a supplemental capital appropriation of $50,000 to each two-year campus for the purchase of technical equipment.

Legislation Introduced But Not Enacted

35-11 Pay Raise (HB 280) To provide for pay raises for state employees. (No other information available)

35-12 Construction (HB 699) To require postsecondary institutions to prepare statements on the impact on neighboring political subdivisions when they decide to construct capital projects.

35-13 Student Liability (SB 347) To extend the immunity from civil liability of Emergency Medical Technicians and paramedics to those training for certification to such status.

35-14 Collective Bargaining To provide for public employee collective bargaining. (Vetoed by Governor)

OKLAHOMA (36)

Legislation Enacted

36-1 National Guard Student Aid (HB 1562) Appropriates funds to the Office of the Oklahoma Military Department including provisions that $100,000 be used for a scholarship program for members of the National Guard attending state-supported colleges and universities.

36-2 Purchasing (HB 1685) Allows institutions of higher education to purchase necessary equipment from a student bookstore.

36-3 Publications Clearinghouse (HB 1714) Creates the Publications Clearinghouse as a division of the Oklahoma Department of Libraries and directs that state agencies including any board of regents to deposit 25 copies of any document issued or published by that agency with the Clearinghouse.

36-4 Growth Restriction (HJR 1053) A resolution opposing the establishment of any additional public institutions or centers of higher education in Oklahoma.

36-5 Legislative Review (SB 346) Directing state agencies to file existing and new rules with the Legislature, provides for legislative review of rules, and prohibits agencies from adopting new rules unless the Legislature is in session, except in instances of imminent peril to the public health, safety or welfare.

36-6 Appropriations (SB 451) Appropriates to the Oklahoma State Regents for Higher Education $196,372,936 for the Educational and General Operating Budget of the State System for 1978-79; a total of $1,068,750 to accomplish special projects; and $8,350,000 for capital improvement projects; appropriation for community colleges is $32,797,195.

36-7 Tuition and Fees (SB 515) Increases the limits of certain fees and tuition in The Oklahoma State System of Higher Education as recommended by the Oklahoma State Regents for Higher Education.

OREGON (37)

Legislation Enacted

37-1 Off Campus Classes (HB 2025) Extends SSHE authorization for campuses to conduct off campus classes within 30 miles (upper division and graduate level) and receive reimbursement therefore; allows public, private, and proprietary declarers of "significant adverse impact" and if agreement between parties is not reached establishes E.C.C. as arbiter.

37-2 Tax Relief (AB 3337) Defines terms used in HJR 84 (Measure 11), tax relief measure.

37-3 Tax Relief (HB 3340) Provides a ballot title and statement for Measure 11, the tax relief measure.

37-4 State Spending Limitation and Tax Relief (HJR-84) Provides that state income tax receipts will be used to pay half the property tax bill of homeowners (to a maximum of $1500); authorizes refunds to renters in a similar proportion to that for homeowners; limits growth in state government operating expenses to rate of growth in Oregon personal income, limits 1979-81 to 95 percent of 1977-79 base plus growth, and provides for return of all end of biennium money from income taxes if triggered by it being more than 2 percent of general operating expenses; requires 2/3 vote of legislature to enact new or expanded tax that increases revenue by more than 5 percent while providing that only a simple legislative majority is required if the issue is to be referred to voters; limits local government expenditures derived from ad valorem property taxes to prior year's rate plus population growth plus "price changes" but not less than 6 percent, permits exceeding such limit upon vote of people (if they pay all—no state reimbursement for that portion above limit) but requires such action to be a separate ballot question; freezes assessments at January 1, 1979 level for one year and charges the 1979 legislature to review assessment practices; charges the legislature to implement the provisions of this article; provides for repeal of Measure 6 if both 6 and 11 passes but 11 has more votes or repeal of 11 if both pass but 6 has more votes (Measures 6 and 11 were both defeated in November, 1978 election).

37-5 Collective Bargaining (SB 474) Amends collective bargaining law; deletes requirement that a majority of the employees in the bargaining unit favor "fair share" payments in lieu of union dues; reverses process to require that 30 percent of employees opposed to "fair share" petition ERB to deauthorize "fair share"; if a majority of employees favor deauthorization in an ERB election, fair share authority is deauthorized; limits petitions to one per contract and then only if filed within 90 days of signing.

PENNSYLVANIA (38)

Legislation Enacted

38-1 Personnel (SB 645) To provide for training of campus police in order to grant them the authority to carry a gun and make arrests.

38-2 Appropriation Appropriates $47,988,000 for community colleges.

Legislation Introduced But Not Enacted

38-3 Funding Formula (HB 2304) To increase the state reimbursement base for community colleges from a maximum of $1500 to $1800. Under the present system, the state does not reimburse a college for more than one-third of $1500 or $500 per FTE. Current average cost is over $1500 but under $1675.

38-4 Student Representation (SB 374) To provide for the appointment of a student to the board of trustees of each community college.

38-5 Federal Funds (SB 1177) To revise language in the Community College Act which would make it mandatory that all outside funds including federal funds be credited entirely to the local sponsor.

RHODE ISLAND (39)

Legislation Enacted

39-1 Needs Study (H 6304) Creates a commission to study the educational needs of nonEnglish speaking youths and adults.

39-2 Vocational Education Study (H 7879) Establishes a commission to study vocational education in the state.

39-3 Retirement (H 8005) Defers the initial increase in state employees' and teachers' contributions to the retirement system for a one year period.

39-4 Retirement Age (H 8035) Provides that teachers shall not be required to retire at any age less than the maximum age as established for an employee in the state employee's retirement system.

39-5 Federal Funds Request (HR 7141) A resolution asking Congress to allocate funds for federally mandated programs which require implementation by the states.

39-6 Course Content (HR 7153) A resolution requesting the State Board of Regents to include in all history courses taught at postsecondary institutions material covering the life and contributions of General Nathaniel Greene.

39-7 Tax Credits (HR 7365) A resolution requesting the state congressional delegation to support the Tuition Tax Credit bill.

39-8 Football (HR 7674) A resolution requesting the State Board of Regents to study the possibility of establishing an intercollegiate football program at Rhode Island Junior College.

39-9 Name Change (S 2048) Renames the Blackstone Valley Campus of Rhode Island Junior College to the Dr. William F. Flanagan Campus.

39-10 Fire Drills (S 2119) Requires all postsecondary institutions to have fire drills for all buildings and provides a fine for lack of compliance.

39-11 Open Meetings (S 2192) Provides that any citizen aggrieved by a violation of the open meetings law may complain in Superior Court and permits the court to nullify any decision made by a public body while in violation of the law.

39-12 Liability Protection (S 2218-A) Requires school committees and the Board of Regents to protect teachers or other employees from financial loss and expense from suits or acts resulting in injury or death, provided the teacher or employee was acting within the scope of his or her employment or under the direction of the committee or the board.

39-13 Handicapped Access (S 2464) Requires that all buildings used by public bodies be in compliance with the State Building Code requiring access to the handicapped.

39-14 Nursing Study (S 2498) Creates a special commission to study the activities and status of continuing nursing education in the state.

39-15 Correspondence Schools (S 2782) Transfers from the Department of Business Regulation to the Department of Education the responsibility to oversee solicitation in regard to correspondence schools.

39-16 Retirement Contributions (S 2908) Revises the formula governing state contributions to the Employee Retirement system. (No other information available)

39-17 Appropriations Appropriates $14,189,983 for community colleges.

SOUTH CAROLINA (40)

Legislation Enacted

40-1 Freedom of Information (H 2727) Replaces the 1972 "Freedom of Information Act" with a new "Freedom of Information Act"; provides that meetings of all governmental bodies be open to the public; provides for public inspection of public records; provides exceptions for the open meetings and public records regulations; requires public bodies to give written public notice of their regular meetings; requires that written minutes be kept for all public meetings; and provides penalties for violations.

40-2 Senior Citizen Tuition Waiver (H 2981) Permits persons age 60 or over to attend public postsecondary institutions without charge on a space available basis; previous age limit was 65; does not permit such persons to be counted toward enrollment for funding purposes nor to be calculated in the formula for the issuance of capital improvement bonds.

40-3 Capital Funds (H 4189) In general deals with authorization for capital bonds for state bodies. Those portions dealing with technical institutions include the following: reduces the bond authorization for equipment for technical education ceiling from $3,148,000 to $1,171,360.30; reduces the bond authorization for technical and comprehensive education relating to facilities expansion for regional and manpower centers from $4,750,000 to $3,445,000; increases the authorization for equipment for Technical and Comprehensive Education by $1,976,640; authorizes the State Board for Technical and Comprehensive Education to issue special obligation bonds for technical education colleges and centers and to prescribe the conditions under which the bonds may be issued.

40-4 Commission on Higher Education (S 251) Relates to the State Commission on Higher Education; increases its members to eighteen; provides for the appointment of members and terms of members; defines relevant postsecondary institutions as all those that are state supported including those governed by the State Board of Technical and Comprehensive Education; provides that the Commission shall recommend a unitary budget for all postsecondary institutions and requires the State Board of Technical and Comprehensive Education to submit a single line-item budget for the institutions under its jurisdiction to the Commission; designates the Commission as the Postsecondary Planning Agency; requires that the Commission approve all new programs at all public postsecondary institutions; authorizes the Commission to recommend the termination of any program; requires any new expansion of an institution to be approved by the Commission; directs the Commission to develop a master plan establishing goals, missions, procedures, and enrollment objectives for institutions of higher learning.

40-5 Veterans' Residency (S 438) Provides that veterans who were state residents before entering the military will be considered state residents for a period of three years following their discharge for purposes of determining tuition and fee charges at postsecondary institutions.

40-6 Residency Requirements (S 452) Provides guidelines for determining state residency for tuition and fee purposes at state supported postsecondary institutions.

SOUTH DAKOTA (41)

No public Community colleges.

TENNESSEE (42)

Legislation Enacted

42-1 Retirement Contributions (HB 1535) Permits employees including postsecondary employees to have their salary reduced by the amount of their contributions to any of three retirement plans and have the employer make the contributions for them.

42-2 General State Appropriations (HB 1668) Appropriates funds for all state agencies including $27,577,400 for community colleges; provides guidelines for acceptance and expenditure of funds by state bodies; provides that there shall be consistent fee charges among public postsecondary institutions and the various state boards must consult with the Commission on Higher Education before establishing fees; salary increases for community colleges are subject to following limitations - those earning less that $8,000 must receive at least a 7½% increase and the average increase for those earning more than $22,000 shall not exceed 6½%; directs the Higher Education Commission to conduct a feasibility study of constructing a classroom facility at a community college extension center; requires that postsecondary institutional budgets be submitted to the Higher Education Commission for review; provides capital funds for community college projects; provides $480,000 for the Tennessee Student Loan Program; and other general budgetary guidelines.

42-3 Annuities (HB 2408) Provides for the establishment of a program to make available tax-sheltered annuities for all state employees.

42-4 Accident Insurance (HB 2486) Amends the Tennessee Code Annotated relative to student accident insurance coverage when a school or institution is the policyholder and pays 100% of the premium. (No other information available.)

42-5 Tuition Deferment (SB 618) Authorizes State supported institutions of higher education to allow students attending school under privately or governmentally funded benefits to defer their payment of tuition and fees if the delivery of their benefit check is delayed for reasons beyond their control.

42-6 Retirement (SB 1623) Permits a teacher to defer retirement until age seventy unless his employer requests that he retire at age 65 or any age beyond 65 up to 70.

42-7 Sick Leave (SB 1687) Provides for the conversion of sick leave for persons who have transfered from a local school system to a state agency including postsecondary institutions since 1965.

42-8 Capital Funds (SB 1718) Authorizes the sale of state bonds in the amount of $39,800,000 for the purpose of providing additional facilities for state educational institutions; $5,900,000 of the total will be used for community college construction projects.

42-9 Unemployment Compensation (SB 2021) Prohibits the payment of unemployment benefits to employees of educational institutions during customary vacation periods.

TEXAS (43)

Legislation Enacted

43-1 Tax Relief Amendment (HJR 1) A Constitutional amendment relating to ad valorem taxation of agricultural property, exemptions of certain property from taxation, and restricts the rate of growth of state appropriations to the estimated rate of growth of the economy. (Amendment was passed in November election.)

UTAH (44)

Legislation Enacted

44-1 Governance (SB 53) Provides that the Board of Regents will have management, control, and supervision responsibilities of both state technical colleges in addition to its current budgeting and curriculum responsibilities. Also provides for Institutional Councils for each technical college with each board to have ten members eight of whom are to be appointed by the governor and be representative of the interests of business, industry, labor, and agriculture in the state. The ninth member is to be the president of the institution's alumni association and the tenth member is to be the president of the associated students of the institutions.

44-2 Appropriation Appropriates $18,130,100 for the state's three community colleges and two technical schools.

VERMONT (45)

Legislation Enacted

45-1 Appropriation Appropriates $528,500 for the Community College of Vermont for 1978-79.

VIRGINIA (46)

Legislation Enacted

46-1 Regional Consortia Board (HB 158) Requires rotation of regional consortia chairmanship among the member institutions; broadens the consortia base to include community colleges.

46-2 Student Rights (HB 371) Gives students who attend colleges in Virginia eligibility to collect compensation as a victim of a crime.

46-3 Student Cheating (HR 13) Requests a study and recommendations for establishing a policy to curb student cheating at all levels of education.

46-4 Funding Formula (HR 159) Requests the State Council of Higher Education to consider setting faculty/student ratios in the guidelines for budgets of institutions of higher education which take into account the size of the institutions and vary the ratio accordingly.

46-5 Emergency Medical Care Program (SB 68) Provides that emergency medical care technicians be available at each mine and outlines training requirements for such individuals. (Community colleges may develop new cirricula to meet the need for emergency medical care technicians.)

46-6 Fire Fighting Programs (SB 207) Provides for an Office of Fire Services Training and outlines various fire fighting training needs. (Community Colleges may develop programs in response to this concern with fire fighting capabilities.)

46-7 Law Enforcement Programs (SJR 52) Requests the Virginia Crime Commission to conduct a study of various aspects of law enforcement training programs. (Eventual result may be use of community colleges in training of law enforcement personnel. The request actually specifies that community colleges be considered as potential deliverers of law enforcement training.)

WASHINGTON (47)

No Legislative Session in 1978

WEST VIRGINIA (48)

No Legislative Report Received

WISCONSIN (49)

Legislation Enacted

49-1 Financial Regulations (AB 639) Extends to all local clerks the prohibition on orders in excess of funds available or appropriated.

49-2 Annual Review (AB 1220) Annual Review Bill. Revises the district cost control limits and appeals procedures; increases funding for firemen's training program; provides for inflationary costs and record center charges appropriation transfer; revises VTAE tuition policy and requires an impact study; provides for pay plan, workload and rental adjustments; clarifies the property tax levy certification date; provides for retroactive pay increases and cost control adjustments; and revises the vocational education state matching requirements.

49-3 Budget Bill (SB 77) The Biennial Budget Bill. Makes statutory revisions for agricultural instruction and tuition policies; provides for a budgetary cost control and appeals procedure, and for district budget reporting requirements; with regard to building safety provisions expands the definition of frequenter; requires a referendum with regard to district board authority concerning capital expenditures; revises the composition of district boards; provides for expenditure approval and audit requirements; establishes an experimental educational program for juvenile correction clients in foster homes; creates an appropriations schedule for gifts and grants; provides tuition grants for national guard members; increases the number of college parallel credits the Nicolet district may offer; authorizes the assessment of student activity and incidental fees; revises the tuition's policy with regard to nonresidents; and authorizes a study of the vocational state aid formula among other things.

Legislation Introduced But Not Enacted

49-4 Student Rights (AB 20) To provide for student rights at public and vocational schools and at public universities. (No other information available.)

49-5 Minimum Age Requirements (AB 36) To repeal the compulsory school attendance and truancy laws; to set a minimum age for VTAE instruction.

49-6 Educational Approval Board (AB 350) To expand the powers of the educational approval board. (No other information available.)

49-7 Board Member Selection (AB 443) To provide for the popular election of VTAE district board members.

49-8 Retirement Costs (AB 547) To provide for state assumption of employer's contribution for teacher retirement and social security; VTAE teachers would have been excluded.

49-9 Age Provisions (AB 551) To revise the VTAE attendance age and to permit children to audit classes.

49-10 Student Representation (AB 605) To add a student member to the VTAE district boards.

49-11 Credit Transfer (AB 612) To clarify and facilitate course credit transfers, especially police science courses.

49-12 Student Rights (AB 926) To exempt full-time students from the requirements of union shop or agency shop agreements.

49-13 Capital Construction (AB 1033) To expand the requirements for referendum ballot information with regard to capital construction costs.

49-14 Board Composition (AB 1051) To revise the district board composition in certain districts to require an agricultural member.

49-15 Tax Deferment (AB 1160) To provide for a deferment of a portion of state income taxes as a result of educational expenses.

49-16 Tuition Remission (AB 1195) To provide for tuition remission for certain foreign students and U.S. citizens residing abroad.

49-17 Board Member Selection (SB 387) To revise the appointment procedures for VTAE district board members.

49-18 Fee Waivers (SB 581) To exempt volunteer fire fighters from vocational school program fees.

WYOMING (50)

Legislation Enacted

50-1 Appropriation Appropriates $28,000,000 for community colleges.

APPENDIX B

INDEX TO LEGISLATION

The first number of each entry is that of the state; the second is that of the legislative item within the state. For example, 3-8 indicates the eighth item listed under Arizona. State identification numbers can be found in Table 1. Both legislation enacted and legislation proposed are included.

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APPENDIX C

Letter of Inquiry

June 5, 1978

Dear Colleague:

Enclosed is a copy of the report on our survey of 1977 state legislative activity *STATE LEGISLATION AFFECTING COMMUNITY AND JUNIOR COLLEGES, 1977.* I hope you find it both enlightening and useful. We are always interested in identifying ways that this annual survey can be improved so if you have any ideas, comments, or suggestions concerning this report, please do not hesitate to contact me.

Now that the 1977 study is finished, we are preparing to begin work on the 1978 survey and report on state legislative activity. This will be the fourth annual survey of state legislation affecting community and junior colleges sponsored jointly by the National Council of State Directors of Community and Junior Colleges and the Center for the Study of Higher Education at the Pennsylvania State University. Some information has already been sent to us as developments in various states warrant. We would like now, though, to more formally and systematically collect the legislative materials that will constitute the data base for the 1978 report.

This, therefore, is to request that you send us information concerning state legislative developments affecting community colleges in your state. Please send information in any or all of the following forms: copies of the relevant legislative bills, analyses of the actual legislation, analyses of the issues and/or areas under consideration by the state legislature that affect community colleges. Please be sure also to include 1978-79 community college appropriation figures and 1977-78 and 1978-79 FTE enrollment figures (actual and projected). This last is to keep up-dating the report shown in Table 4 on page 10 of this year's publication.

Additionally, this year we are interested in getting your views concerning the clarity of the federal government's role in community college education. The enclosed background to this part of our inquiry should be of interest; we think the compiled views of state directors, which we will produce and give back to you, will be a distinct service to the directors as a group as well as to decision makers at the national level. To these ends, I hope you will take the time yourself to complete the attached short inquiry and return it to me.

Very cordially yours,

S. V. Martorana
Professor of Higher Education
and Research Associate

SVM/pmd

Enclosure

APPENDIX D

Federal Interest and Role Questionnaire

To: Colleague Members of the National Council of State Directors of Community and Junior Colleges

From: S. V. Marotrana

RE: A Call for Views on the Federal Role/Interest in Community Colleges

The federal role in community college education is an issue which historically has received less attention than either the state or local government's role in community college education. But times may be changing. Edward Moye, Deputy U.S. Commissioner for Postsecondary and Adult Education, speaking before the 1978 spring meeting of the State Higher Education Officers' Association in Washington, offered the opinion that the federal role in community college education is, in fact, now unclear. He went on to note that this was the reason Title X of the Higher Education Amendments, that more directly relevent to community colleges, has not been funded and, moreover, that it should not be funded until the federal interest and role in community colleges is clarified. At his direction, a task force is now at work in the United States Office of Education to develop a statement on this matter.

In order to understand better your assessment of the federal role in community college education, and to determine if Mr. Moye's assessment is accurate, would you please respond to the questions presented below. Please circle one answer for each question and return the form to me directly.

I will compile the collective views of the State Directors and provide "feed back" to you individually as well as to the Council at its summer meeting in Albany, New York. **No response or comment will be identified with the individual making it; only my graduate assistant, Wayne D. Smutz, and I will know your individual views.** Thank you very much.

1. In your opinion, does the federal government have a legitimate interest and role to play in community college education?

   a. Yes

   b. No

   c. Other (Please explain)

2. To what extent do you agree or disagree with Deputy Commissioner Edward Moye's position as noted above?

   a. The federal role in community college education is unclear at this time.

   b. The federal role in community college education is clear at this time as indicated by current policies.

   c. Although lacking a nationwide consensus among educators and public leaders, the federal interest and role in community college education is sufficiently clear to guide decisions on federal legislation.

d. Although lacking a nationwide consensus among educators and public leaders, the federal interest and role in community college education is sufficiently clear to guide decisions on federal funding of existing legislation, including Title X.

e. A combination of the above. (Please specify)

f. Other (Please explain)

3. If you believe that the federal role in community college education needs to be clarified, who do you think should be included in clarifying the federal role? (Do not answer this question if you believe the federal role is clear.)

a. The AACJC should play the primary role in cooperation with the staff of the U.S. Office of Education.

b. The AACJC in cooperation with community college representatives of the several states should work to clarify the federal role with the U.S. Office of Education.

c. The AACJC in cooperation with the Association of Community College trustees should work to clarify the federal role with the U.S. Office of Education.

d. Community college representatives from the several states need to create a new approach to clarify the federal role in community college education in cooperation with the U.S. Office of Education. Please indicate your suggestions.

e. Other (Please explain)

4. Given a conclusion that the federal role in community college education is clear at this time or can be clarified readily, do you believe that the federal government should in such a case provide financial support to community colleges **commensurate** with its interest in them?

   a. Yes

   b. No

   c. Other (Please explain)

5. In your own professional view, what is the federal government's interest and role in community college education?

   a. To ensure students equal opportunity for access to community college education as sought by the students in each state.

   b. To equalize the quality of community college educational opportunity among the several states.

   c. To encourage coordination of community college educational resources in each state.

   d. To ensure minimal adequacy of physical plant and equipment needed for community college education in each state.

   e. A combination of the above, please specify.

   f. Other (Please explain)

6. Please provide us with any other of your own general or special thoughts on the federal government's interest and role in community college education which were not covered in your responses to the above questions.

APPENDIX E

Follow-Up Letter

August 29, 1978

Dear Colleague:

Each year we prepare a report on state legislation affecting community and junior colleges throughout the nation. This is a cooperative project with the National Council of State Directors of Community and Junior Colleges. The 1978 survey is the fourth in the series so far produced. Your office receives copies as each is completed. In order to complete the 1978 report, we need the cooperation of the various states.

In a letter dated June 5, we requested your assistance in the preparation of this report by asking for two pieces of information: 1) copies of the bills and/or analyses of the 1978 state legislation that relates to community colleges in your state and 2) figures on the 1978-79 state appropriation for community colleges in your state as well as FTE figures for 1977-78 and 1978-79 (estimated). At the same time, we asked you to complete a brief questionnaire on the appropriate federal role and interest in community colleges.

As of this date, no response from your state has come to any of the requests made. In case the original communication was misplaced, a copy of the letter as well as a copy of the questionnaire are enclosed.

We hope you will respond to this request as soon as possible. The series of annual reports is becoming more complete and useful to the field each year and both the state directors and we want to keep this pattern developing. A full response from the field is essential for the successful completion of the 1978 compilation and analysis. We look forward to hearing from you shortly.

Very cordially yours,

S. V. Martorana
Professor of Higher Education
and Research Associate

SVM:md

Enclosures

NOTES ON THE AUTHORS

S. V. MARTORANA is research associate at the Center for the Study of Higher Education and professor of higher education in the College of Education at Penn State. Dr. Martorana has an M.A. and Ph.D. in education from the University of Chicago. Previously he has served in a number of administrative and policy-making capacities in higher education, particularly in the areas of community colleges and statewide planning and coordination. He has published numerous books, monographs, and articles in these areas, among which are *Criteria to Establishing Two-Year Colleges* (with D. Grant Morrison), *State Boards Responsible for Higher Education* (with Ernest V. Hollis), *Managing Academic Change* (with Eileen Kuhns), and *Regionalism in American Postsecondary Education* (with Lawrence A. Nespoli).

WAYNE D. SMUTZ is a research assistant at the Center for the Study of Higher Education of The Pennsylvania State University and a doctoral candidate in higher education. Prior to assuming his current position, he served in an administrative capacity with Penn State for four years. He holds an A.B. degree in history from the University of California, Berkeley, and an M.A. degree in political science from Penn State. His publications include *Dollars and Directives: Issues and Problems Related to Financial Support and Legal Authorizations of Community Colleges* (with S.V. Martorana and James L. Wattenbarger), and "Legal Policies on Lifelong Learning: An Overview of the States" (with S. V. Martorana).

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